

## **DEVELOPMENT ADVISORY COMMITTEE MINUTES**

The Development Advisory Committee (DAC) met on Wednesday, January 15, 2013 at 9:00 a.m. in the Second Floor Conference Room, 220 South Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Len Walinski	Health Department
Robin Wales	Department of Emergency Services
Bill Snyder	Bel Air Volunteer Fire Company
Mike Rist	DPW Engineering
Shane Grimm	Planning and Zoning
Jennifer Wilson	Planning and Zoning
Eric Vacek	Planning and Zoning
Rich Zeller	State Highway Administration
Mark Logsdon	Sheriff's Office
Darryl Ivins	DPW Water and Sewer
Paul Magness	Department of Parks and Recreation

Also in attendance were:

Rowan Glidden, GW Stephens	4692 Millennium Dr, Suite 100, Belcamp, MD 21017
Bowen Weisheit	711 W. 40 <sup>th</sup> St, Suite 357, Balto, MD 21211
Jonathan Weisheit	2636 Calvary Rd, Bel Air, MD 21015
Teri Connell	2634 Calvary Rd, Bel Air, MD 21015
Roy Metker	2715 Bynum Hills Circle, Bel Air, MD 21015
Wayne R. Kirn	2705 Bynum Hills Circle, Bel Air, MD 21015
Delynn Linnett	737 High Plain Dr, Bel Air, MD 21014
Claire D. Jones	713 Mayton Ct, Bel Air, MD 21014
Bob Vogel	807 Litchfield Circle, Bel Air, MD 21014
Frank Stack	440 Quarry Rd, 17314
Matt DePrato	403 Arundel Ct, Abingdon, MD 21009
E.F. Smoak	809 Fairwind Dr, Bel Air, MD 21014
Fred Pucci	723 Fairwind Dr, Bel Air, MD 21014
E. Dennis Strader	722 Fairwind Dr, Bel Air, MD 21014
Jamie Sechler	23 N. Walnut St, Milford, DE 19963
D.J. Hughes	23 N. Walnut St, Milford, DE 19963
Frank Cason	3101 Devine St, Columbia, SC 29205
Joseph F. Snee, Jr.	11 S. Main St, Bel Air, MD 21014
G. Edward Fielder	1901 Calvary Rd, Bel Air, MD 21015
George Kilker	727 Fairwind Dr, Bel Air, MD 21015
Bill Wehland	415 Cedar Springs Rd, Bel Air, MD 21015
Kirk Salvo	14 Back River Neck Rd, Balto, MD 21221
Kevin Brown	1657 Schucks Rd, Bel Air, MD 21015
Sheri Betz	2266 Greencedar Dr, Bel Air, MD 21015
Andrew Bittner	417 Cedar Springs Rd, Bel Air, MD 21015
Janet Streett	3250 Charles St, Fallston, MD 21047

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 2 of 49**

Barney Bonsall	2632 Calvary Rd, Bel Air, MD 21015
Valerie Scheno	2632 Calvary Rd, Bel Air, MD 21015
Deborah Hiob	727 High Plain Dr, Bel Air, MD 21014
Nicole Dehart	503 Winter View Dr, Bel Air, MD 21014
Debbie Button	212 S. Bond St, 2 <sup>nd</sup> Fl, Bel Air, MD 21014
Mary & Roy Taylor	2630 Calvary Rd, Bel Air, MD 21015
Ron Clontz	505 Winter View Dr, Bel Air, MD 21014
Bob Rufenacht	2003 Cypress Dr, Bel Air, MD 21015
Nancy Miller	803 Fairwind Dr, Bel Air, MD 21014
Robert Schreiber	802 Deep Ridge Rd, Bel Air, MD 21014
Victoria Paxton-Hill	512 Herring Run La, Havre de Grace, MD 21078
Fred Sheckells	4635 Millennium Dr, Belcamp, MD 21017
Doug Baralo	2411 Engle Rd, Fallston, MD 21047
Robert Eickhoff	843 High Plain Dr, Bel Air, MD 21014
Aimee Duvak	844 High Plain Dr, Bel Air, MD 21014
John & Ann Schenning	2815 Calvary Rd, Bel Air, MD 21015
Teresa Rosier	9640 Deerco Rd, Timonium, MD 21093
Jim O'Brien	1735 Shakespeare Dr, Bel Air, MD 21015
Lou Schaffer, Fred Ward Assoc	5 S. Main St, Bel Air, MD 21014
Chris Carlsen	2011 Cypress Dr, Bel Air, MD 21015
James Keefer, Morris Ritchie Assoc	3445-A Box Hill Corporate Ctr Dr, Abingdon, 21009
Bob Ward	2700 Philadelphia Rd, Edgewood, MD 21040
Lee Magness	1201 Whitaker Mill Rd, Joppa, MD 21085
Renee Bouwkamp	1635 Schucks Rd, Bel Air, MD 21015
Tom Miller	803 Fairwind Dr, Bel Air, MD 21014

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. He explained there are nine plans on the agenda. Mr. Davenport explained that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is an attendance sheet circulating for everyone to sign. If a correct address is given, a copy of the minutes will be mailed or e-mailed. The minutes will also be published to the Department of Planning and Zoning's website.

**DUBLIN DOLLAR GENERAL**

Located on the north side of Conowingo Road(Route 1); west of Whiteford Rd(Route136). Tax Map 27; Parcels 29 & p/o 539. Fifth Election District. Council District D. Planner Jennifer.

Plan No. S13-183 Construct 9,100 sf Retail Bldg.; 1.43 acres; B3.

Received 12-05-13 Douglas Clark/Arthur & Ruby Gaddis/Capital Development Partners, LLC/Davis, Bowen & Friedel, Inc..

Jamie Sechler of Davis, Bowen & Friedel, Inc. presented the site plan. He was accompanied by D.J. Hughes from the same firm. The plan proposed a 9,100 sq ft Dollar General

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 3 of 49**

store on Conowingo Road. There are 46 proposed parking spaces with a protected left turn into the site along with a right turn in. Bio retention areas are on site along with well and septic. A traffic impact study was completed and submitted to the County.

**Emergency Services – Robin Wales**

Public safety wireless radio communications inside a building is essential to the safety of those occupying the structure as well as fire, law enforcement and emergency medical providers responding to a call for help. Buildings that are greater than 5,000 sf, higher than 50', contain underground storage or parking and are constructed of materials that impede wireless radio signals may adversely affect the response of public safety providers. Please consider including wiring, electrical connections and other infrastructure that may be needed for an in-building 800 MHz amplifier. Emergency Services will test coverage in your facility once construction is finished. Call 410-638-4900 for this assistance.

Emergency Services is requesting the proposed building display 8"-10" address numbers and letters. Emergency Services must have a list of three emergency contacts for notification, response and securing purposes.

**Volunteer Fire and E.M.S. – Bill Snyder**

All new or altered buildings with an automatic sprinkler system or a supervised, automatic fire detection system, shall install a Knox box per NFPA 1, Part III, 3-6. They shall be keyed for the Darlington Fire Company; 410-638-3760.

**Health Department - Len Walinski**

This site will be serviced by a well and septic system.

The following items must be completed prior to DAC approval:

Lot B is currently part of the lot to the rear of Parcel 29 (Lot A) which is Lot 11, Land of Pennington. This lot can only be modified by revising the record plat (99/88). Contact the Department of Planning and Zoning to discuss the plat revision process.

Lots A and B must be combined to reflect one lot. Lots A and B may be combined via the record plat process or, if permitted by P&Z, by a deed of conveyance that circulates with the final plat revision for Lot 11.

The proposed well site is downgrade from the proposed septic area and possibly neighboring septic systems. There must be a minimum separation of 200' between the well and all upgrade septic areas. Provide a well site that satisfies this requirement.

All neighboring wells and septic systems (tanks and disposal fields) located within 100' of the property must be field located and shown on the revised site plan.

When the existing dwelling on the property was removed, there was no indication in our files that the existing well and septic system were properly abandoned. Based on our records, neither of these features is compatible with your plan and must be field located and shown on the plan. These facilities will have to be properly abandoned.

Based on the flow and soil test results, the drain field will consist of 170' of trench, 3' wide and 8' deep of Low Pressure Dose (LPD) system. There needs to be sufficient area on the property

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 4 of 49**

for an initial system and two future replacement systems. A layout of the sewer line, tank, manifold and drain field meeting all COMAR and Harford County Local Code, Chapter 216 requirements is required on a revised site plan. The drain fields must be a minimum of 12' apart, edge to edge. If the area to the rear of the building is inadequate to meet these requirements, the area may have to be increased in size.

Upon approval of a site plan and prior to approval of a building permit, additional comments will be provided, including the need for detailed engineered plans for the LPD system, water sampling requirements and the need for food plan review.

**Water and Sewer - Darryl Ivins**

No comment.

**DPW Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration Supplement.

A traffic impact analysis has been submitted. Comments will be forwarded to Planning and Zoning.

**Sheriff's Office – Mark Logsdon**

Ensure street address is clearly marked on the building for first responders.

**Parks and Recreation – Paul Magness**

No comment.

**State Highway Administration – Rich Zeller**

An access permit will be required for entrance and road improvements on US 1 and must be obtained from the Access Management Division (AMD). The SHA is currently reviewing a

traffic impact study for this development. The AMD defers specific comments regarding entrance and road improvements until the review of the traffic impact study is complete.

The SHA traffic study comments will be forwarded as they become available. The SHA Tracking number 13APHA025X should be referenced on all future submittals. SHA will withhold approval of the site plan until the required entrance and road improvements have been established and are reflected on the site plan.

### **Department of Planning and Zoning – Jen Wilson**

A minor preliminary plan must be submitted for the addition of land from adjacent Lot 11 to the existing Parcel 28.

The revision to Lot 11 will require the submission of a second preliminary plan to revise recorded Plat 99-88 through the abbreviated process.

A waiver was granted for the reduction of required parking spaces from 37 to 32.

A Combined Forest Stand Delineation /Forest Conservation Plan was approved on November 26, 2013. 0.29 acres of reforestation will be accomplished with individual tree plantings. A reforestation bond must be received prior to the issuance of a grading or building permit and will be subject to the two-year release schedule for reforestation bonds.

The landscaping plan shall be revised. Foundation plantings are required along the foundation of the proposed building. A cost estimate shall be provided to reflect the additional plantings. A landscape surety shall be submitted along with the surety agreement prior to the issuance of a grading or building permit. The landscaping plan must be signed by the Owner/Developer prior to site plan approval.

The Department requests that architectural rendering be submitted for review and comment prior to building permit application. The renderings shall be in color and include a list of materials and finishes. The rear of the building shall be of a finished quality and consistent with the rest of the building.

All proposed signage shall conform to the Sign Code and permits shall be obtained from the Department of Planning and Zoning. No signage shall be placed within the SHA right-of-way.

There were no additional comments from the public.

#### **AINSLEY FOREST**

Located north side of Bynum Hills Rd; at the end of 12 Stones Road. Tax Map 57; Parcels 224 & 267. First Election District. Council District F. Planner Eric.

Plan No. P13-185 Create 16 residential lots; 168.655 acres; AG.

Received 12-06-13 Flow 2006 LLC/Morris & Ritchie Associates, Inc.

James Keefer of Morris & Ritchie Associates presented the preliminary plan. The plan proposes the combination of two parcels and subdivision into 16 residential lots. The property is approximately 168 acres and is located with access currently off of MD Route 136. There is a long panhandle drive which provides current access. It also has frontage (platted but not constructed) on 12 Stones Road. The plan proposes to gain access to 12 Stones Road for the subdivision. Lot 1 will be around the existing property/house/accessory structures known as the Scheno property.

The northern property is known as the Flow property. The property is all owned by Flow 2006, LLC now. These lots will be 2 acre minimum and developed under the Agricultural District requirement for conventional development. There will be onsite wells and septic reserve areas.

### **Emergency Services - Robin Wales**

Ainsley Forest Court must be renamed. The National Emergency Number Association (NENA) recommends "When a road name sounds too much like another road name or if it is a direct duplicate, it must be renamed. A road that has the same name as another road but a different suffix or prefix is still considered to be a duplicate name." The road name Aintree sounds too much like Ainsley.

The houses on these common drives and panhandle lots are getting more and more difficult to locate. Emergency Services is requesting when there are two or more lots on a common drive, that it be named a private road and addressed accordingly. Private road names must be checked with Emergency Services so duplication does not take place.

The addresses of panhandle lots shall be displayed at the entrance within 10' of the public roadway, at least 3' high and at each driveway to indicate the proper lane of access for each property. The lots have been addressed and she can work with the planner.

### **Volunteer Fire and E.M.S. – Bill Snyder**

Dwellings on panhandle lots shall have the addresses marked at any point the driveways split to identify each dwelling's house number. Signs with directional arrows are recommended. An example was provided.

### **Health Department – Len Walinski**

Lot 1 is improved with a dwelling and several outbuildings and is serviced by an individual well and an on-site disposal system. Lots 2 through 16 are unimproved and will be serviced by individual wells and on-site disposal systems. Soil percolation tests were conducted on April 19, 2012, April 25, 2012, April 26, 2012 and March 21, 2013.

The following items need to be addressed on a revised print to the Health Department:

The proposed well on Lot 3 is located down gradient from the proposed Septic Reserve Areas (SRAs) on Lots 3 and 16 and there is less than 200' separation. There is a site on Lot 3 which may provide a satisfactory well site that would provide an up gradient well site with 100' separation to the adjacent SRAs.

Provide the location of the well and septic system on the Land of Weisheit (Map 57, Parcel 149).

Adjust the proposed SRA on Lot 8 to provide greater separation from the failing test pits and to more centrally locate the passing test pits in the revised SRA.

After approval of a revised print and prior to final plat approval, the following are required:

The consultant must provide the Health Department with a print indicating the location of the existing septic system for Lot 1.

The existing septic system for Lot 1 must be pumped, inspected and certified by a contractor who has completed a course approved by the Maryland Department of the Environment (MDE) for the proper evaluation of on-site septic systems. The licensed contractor must submit a report of the findings to the Health Department for review. Any deficiencies noted must be corrected to the satisfaction of the Department.

The consultant/applicant must make application for a "Notice of Exemption to Appropriate and Use Groundwater". The completed application is to be submitted to the Health Department and upon processing, the completed application will be forwarded to MDE.

The final plat must bear the well, septic reserve area, and plat plan notes. The square footage amount of each septic reserve area must be clearly labeled on the final plat.

#### **Water and Sewer – Darryl Ivins**

No comment.

#### **DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. Practices located on individual lots are the maintenance responsibility of the lot owner.

Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

12 Stones Road shall be graded from the temporary tee to the property line. The right-of-way shall be dedicated to the County.

The proposed driveways shall be shown on the plans along with the details. Driveways shall not access onto the temporary tee turn around.

A school bus cul-de-sac shall be provided unless the school board determines that one is not required.

Road names shall include no more than 12 letters and spaces excluding the suffix.

Monumental masonry mailboxes or structures shall not be constructed within the right-of-way.

**Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

**Parks and Recreation – Paul Magness**

No comment.

**State Highway Administration – Rich Zeller**

No comment.

**Department of Planning and Zoning – Eric Vacek**

This plan proposes to create sixteen (16) single family residential lots via conventional development standards. The property is zoned Agricultural (AG) and is comprised of two (2) individual parcels. Parcel 224 totals 81.02 +/- acres and carries eight (8) development rights. Parcel 267 totals 87.63 +/- acres and carries eight (8) development rights. No additional development rights remain with the property.

A Forest Stand Delineation (FSD13-017-1, Flow/Scheno Property) was submitted and approved by the Department Planning and Zoning. No grading shall be permitted in the natural resource districts (NRD) buffers for actual home construction.

DA authorization may be required for this project. Please contact Mr. Steve Elinsky at 410-962-4503 for additional details. All applicable permits must be obtained by Maryland Department of the Environment (MDE) and/or Army Corp of Engineers. If required, the Department of Planning and Zoning requests that the approved copies of the permit be provided and placed in the file for information purposes.

The lots are subject to the Harford County Forest Conservation Regulations. This site contains environmentally sensitive areas, namely tributary buffers and non-tidal wetlands. Additionally, all areas with slopes in excess of 25% contiguous of more than 40,000 square feet shall be labeled as NRD on the final plat. All non-tidal wetlands shall have a 75-foot buffer. A 150-foot buffer is required extending from major tributaries. Where these buffers overlap the greater shall prevail and be labeled as "Natural Resource District" on the final plat. The floodway portion of the 100-year floodplain shall also be shown on the plat. These environmental features shall be easily distinguishable on the final plat. A Forest Conservation Plan (FCP13-185-1) has been submitted for review to the Harford County Department Planning and Zoning.

A Landscaping Plan (L13-185-1) was submitted to the Department of Planning and Zoning. Buffer yards shall be established and clearly noted on agriculturally zoned land when the subject property is converted to residential use, consisting of more than 5 lots, and is adjacent to another agriculturally zoned property that has not been converted to residential use. The required protective measure statement shall be shown on all submitted landscaping plans.

The consultant/developer shall clarify the disposition of the existing access easement which intersects the proposed extended 12 Stones Road prior to final plat approval.

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 9 of 49**

Driveways are not shown. A common drive agreement shall be completed and submitted for Lot(s) 1 and 7, as well as Lot(s) 10 and 11.

Comments were invited from the public.

Roy Metker, Bynum Hills Improvement Association, questioned the access along the southern boundary of the property.

Mr. Keefer responded that the out parcels would have the option to access 12 Stones Road. At this point, no closure is proposed.

Mr. Metker asked specifically about lot 7 having access to 12 Stones Road.

Mr. Keefer confirmed that lot 7 could come off of 12 Stones Road. There is currently an access easement between proposed lot 1 and the three out parcels. There is also a 50' strip that goes down to lot 7. Lot 7 will have frontage on the proposed cul de sac but the driveway will probably come off the proposed common use drive. Mr. Keefer pointed out the distinction between access via easement and direct property road frontage.

Bowen Weisheit, representing the owners of encompassed lots to the north – tm57, p 149 and tm57, p347, asked about the portion of the existing 20' easement which is proposed to be extinguished. It goes through a portion of lot 18 and his research indicated that such extinguishment would require the approval of the owners of the two parcels referenced. He asked if any arrangements have been made to obtain that approval.

Mr. Keefer said he was not aware of any.

Mr. Weisheit stated the owners of the lot have an existing water supply which is in part located on proposed lot 15. He wanted to know if any accommodations would be made for the continuance of the water service.

Mr. Keefer said he was not aware of any well.

Mr. Weisheit said there was a well and well house. He stated there were a number of other issues with the project and that he looked forward to working with Morris & Ritchie and the developer in trying to resolve them. He intended to keep the DAC committee informed.

Mr. Davenport added that the County will need a clear disposition of the right of ways.

Rick Jaconte lives in the existing house on the pentagon shaped parcel in the center of the proposed development. He wanted to confirm that the proposed construction of 12 Stones Road was not complete and did not access the back parcels.

Mr. Keefer replied that the road was not built yet but he believes there is a record plat that shows the right of way extending to the property line.

Mr. Jaconte asked what the access is for now.

Mr. Keefer said that for now, it would be the 16' right of way. As part of this proposed plan, 12 Stones Road will be extended.

Mr. Jaconte asked about the timing of the road construction?

Mr. Keefer said it would be before the completion of the development.

Mr. Davenport added that 12 Stones Road would need to be constructed in order to serve the proposed lots before they could build the project.

Mr. Jaconte stated that four houses were responsible for maintaining the current road; 15' right of way. He added that it isn't even a road. It is a potholed, dirt and gravel lane. His concern

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 10 of 49**

was construction vehicles accessing the back properties via the lane. He thought that would be a disaster. It is already in unpassable shape now. Already vehicles that have been using it to access the church have left it badly damaged.

Mr. Davenport responded that 12 Stones Road has to be extended. The construction will come from Calvary Road to 12 Stones Road.

Mr. Jaconte said he understood the long term plan but was still concerned with how the road existed in the short term. He asked how the construction would proceed given it is only a 16' road. Will maintenance of the right of way be shared?

Mr. Davenport asked if there was shared agreement now.

Mr. Jaconte replied that he thought there was loose agreement currently.

Mr. Davenport said that if there was an agreement now, that agreement would remain intact.

Mr. Keefer pointed out lot 1 on the plan known as the Scheno house and accessory structures. He assumed it was one of the four properties responsible for maintaining the current road. Flow is now the owner of the property. It may have been incorrect to say that Flow was not a part of the agreement.

Mr. Jaconte said they have never seen a formal agreement and have not been addressed by Flow regarding the maintenance. He wondered about grandfather clauses since this right of way has existed for a hundred years.

Mr. Davenport stated that construction will come via 12 Stones Road.

Mr. Jaconte asked about crossing the wetland.

Mr. Davenport replied that the developer would need to get the permit.

Mr. Keefer added it was permitted as part of the property.

Mr. Jaconte then asked about his future access. He heard that he may need to make a left turn over the bridge.

Mr. Keefer responded that it is being looked at now and a final determination is yet to come. They may have the option to go out 12 Stones Road and cease to maintain the drive or they may continue to go out the way they have come.

Ms. Jaconte then asked about the BGE issue on the 16' right of way. What would happen to the BGE service and how does the subdivision get electricity? Would it come in from 12 Stones Road underground?

Mr. Keefer stated the service for the lots would continue from the existing BGE service.

Mr. Jaconte and Mr. Keefer discussed layout and right of way at the plan on display.

Mr. Davenport suggested that Mr. Jaconte contact Mr. Keefer to coordinate further discussion about construction and maintenance of 12 Stones Road. He again stated that the developer cannot build any homes or foundations until there is a public road which makes a legal lot; just having a right of way doesn't grant permission to begin construction on the homes.

Roy Taylor asked if the two bridges could be eliminated or bypassed.

Mr. Keefer asked if he was referring to the bridges on the private drive.

Mr. Taylor responded yes; on the corner of the plan there was a wooden bridge and a concrete bridge.

Mr. Keefer and Mr. Taylor located the bridges on the proposed plan. He said it is likely that the crossing on the east west part of the private drive will not be removed because they provide access and connection to 12 Stones Road.

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 11 of 49**

Mr. Davenport also suggested that Mr. Taylor contact Mr. Keefer as well to discuss the option for public road access.

Mr. Taylor was concerned about the difficulty of making a left hand turn onto the bridge and thought the bridges would have to be eliminated and a road put alongside.

Mr. Jaconte asked if there was a requirement to have the bridge evaluated. Mrs. Jaconte was concerned about construction traffic using the bridge and it holding up.

Mr. Davenport said it would need to be looked at with the plan review.

**REDLEIF RUN**

Located on the west side of Calvary Rd(Route 136); east side of South Fountain Green Rd(Route 543); south side of Schucks Rd. Tax Map 50; Parcels 83 & 59. First Election District. Council District F. Planner Jennifer.

Plan No. P13-186 Create 27 residential lots; 255.74 acres; AG.

Received 12-13-13 Fairview Farm, LLC/Grace E. Fielder & Associates/Chartered.

Grace Fielder presented the preliminary plan. She thanked the DAC committee for all the comments provided in the past. This project is a family farm and she is one of the four owners of the property as well a landscape architect/planner with a consulting firm in Maryland. The property is located at the corner of Schucks Road and Calvary Road (Route 136). Schucks Road is a county road and also abuts Maryland 543. Twenty seven lots are proposed for the 255 acre AG zoned property. The lots will be accessed from Schucks Road at two points; one has five lots at the corner of Schucks Rd and Route 136, the other 22 lots will access Schucks Road. The remainder of the property will remain as agricultural use. It is over 180 acres.

**Emergency Services – Robin Wales**

The roads must be named and checked with Emergency Services so duplication does not take place. Road A will be addressed in the 1900 block and Road B addressed in the 1600 block. Lots 23-27 will be addressed with odd numbers in the 1800 block of Schucks Road.

The houses on these common drives and panhandle lots are getting more and more difficult to locate. Emergency Services is requesting when there are two or more lots on a common drive, that it be named a private road and addressed accordingly. Private road names must be checked with Emergency Services so duplication does not take place.

The addresses of panhandle lots shall be displayed at the entrance within 10' of the public roadway, at least 3' high and at each driveway to indicate the proper lane of access for each property. The lots have been addressed and she can work with the planner.

**Volunteer Fire and E.M.S. – Bill Snyder**

Dwellings on panhandle lots shall have the addresses marked at any point the driveways split to identify each dwelling's house number. Signs with directional arrows are recommended. An example was provided.

**Health Department - Len Walinski**

Lots 1-27 are unimproved and will be serviced by individual wells and on-site disposal systems. The remaining land is improved with a main house, tenant house and several outbuildings. Soil tests were conducted on March 25-27, 2008, April 17-18, 2008, April 29, 2008, March 13-14, 2000, April 4, 2000, September 19, 2012 and April 15, 2013.

Prior to further review, the Health Department has the following comments regarding this plan and will require a revised print to address some of these issues:

Indicate the location of the soil percolation test for the main house that was completed in January, 2013. Please note that the driveway may not cross the septic reserve area (SRA) and will require modification to this area. In addition, indicate clearly which well is servicing the main house.

The SRA for the barn must be adjusted so the soil test is centrally located in the proposed SRA and again when the driveway is removed from the SRA.

All neighboring wells, on-site disposal systems (OSDS) and SRAs located on adjacent properties must be located on the plan. This includes properties across the road from Lots 1-8 and Lots 22-24.

Provide a print to the Health Department indicating the existing well for the tenant house.

Any existing wells with a well tag must be identified and the well permit number from that tag submitted to the Health Department on a print with the appropriate tag number indicated on the print adjacent to the corresponding well. The purpose of each existing well (tag or no tag) must be determined as to whether it is a potable water supply or if it is being used for agricultural purposes. Also the plan must indicate what structure or structures it services.

The following lots will require modification to the well and/or SRA to address the following issues:

The proposed SRA for Lots 8, 14 and 17 must be adjusted so the soil percolation test pits are more centrally located in the SRA.

Lot 15 SRA must be adjusted to eliminate failing test pit #607.

Lot 19 SRA must be adjusted to provide a minimum separation of 25' to the AV soil type and Lot 27 must be adjusted to provide a minimum of 25' to the Hb soil type.

The proposed SRA for Lots 9, 10 and 27 must be modified to provide a minimum of 15' to the property line.

There is a swale passing through the SRAs on Lots 11, 12 and 18. These SRAs must be modified to provide a minimum of 25' from the center line of the swale.

Lots 7, 8, 9, 19 22 and 23 SRAs must be modified due to failing soil percolation tests adjacent to the proposed SRAs or inadequate coverage of the proposed SRAs by the current soil tests.

Numerous wells are located down gradient from proposed SRAs or potential existing on-site disposal systems and/or existing SRAs that have not been located and shown on the plan and, therefore, must be provided with a minimum of 200' separation to the known or potential waste disposal items. The wells on Lots 1, 2, 5, 6, 7, 8, 22 and 25 must be adjusted to satisfy this separation requirement. Slight modifications to some SRAs may also be necessary.

The proposed SRA for Lot 15 must be adjusted to provide a minimum of 200' separation to the proposed well site on Lot 16.

The proposed wells on Lots 9, 10, 11, 12 and 13 must be adjusted to provide a minimum of 100' to the adjacent agricultural zoned property.

Based on the plan submitted with the issues referenced above, at this time, the Health Department will require additional wet season soil tests on the following lots: Lots 6, 8, 9, 11, 12, 15, 18, 22, 23 and 27. Based on future submittals, additional soil tests may be necessary.

Upon receipt of the above requirements, the Department will update its comments.

Upon approval of the preliminary plan and prior to final plat approval, the following are required:

A Groundwater Appropriation Permit (GAP) will need to be secured from the Maryland Department of Environment (MDE). The permit number must be displayed on the final plat.

The existing on-site disposal systems for the main house, tenant house and barn must be pumped, inspected, and certified by a contractor who has completed a course approved by MDE for the proper evaluation of on-site septic systems. The licensed septic contractor must submit a report of the findings to the Department for review. Any deficiencies noted must be corrected to the satisfaction of the Health Department.

A new well for the tenant house must be drilled in the approved site, connected to the house, sampled and issued a Certificate of Potability (COP). The existing well must be properly abandoned by a licensed well driller and a report filed with the Health Department.

Any existing potable water wells lacking a well construction permit must be tested for bacteria and nitrates. If a well permit was issued after 1980, the well must have completed the COP requirements. COP testing consists of two consecutive good bacteria samples taken at least 7 days apart and a test for nitrates, turbidity and sand. Any questions regarding the well issues, please contact John Resline at 410.877.2325.

The final plat must bear the well, septic reserve area and plat plan notes. The square footage amount of each septic reserve area must be clearly labeled on the final plat.

#### **DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. Practices located on individual lots are the maintenance responsibility of the lot owner.

Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

Roadside drainage shall be addressed along Schucks Road by providing a 3' graded shoulder and side ditch or other measures to be determined during final design.

Site entrances onto Schucks Road shall have adequate sight distance for a 35 mph design speed.

Monumental masonry mailboxes or structures shall not be constructed within the right-of-way.

The proposed driveways shall be shown on the plans along with the details.

A school bus cul-de-sac shall be provided unless the school board determines that one is not required.

A 30' right-of-way dedication is required along Schucks Road if not already dedicated. Additional right-of-way shall be provided at Broad Run Creek culvert under Schucks Road. The right-of-way shall extend an additional 10' in width, 25' on each side of the culvert.

A traffic impact analysis has been submitted. Comments will be forwarded to Planning and Zoning.

#### **Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

#### **Parks and Recreation – Paul Magness**

No comment.

#### **State Highway Administration – Rich Zeller**

SHA has no comment regarding the proposed access to this site as entrances are proposed to a county road. The SHA is currently reviewing a traffic impact study for this development to determine the traffic impacts to the surrounding road network. Should an off-site road improvement be required to a state road or intersection to mitigate the traffic impact under the Adequate Public Facilities Ordinance (APFO), that improvement would be subject to the review and approval of SHA and an access permit would be required for the construction of that improvement. The Access Management Division (AMD) will defer specific comments regarding possible off-site road improvements until the review of the traffic impact study is complete.

The SHA traffic study comments will be forwarded as they become available. The SHA Tracking number 13APHA026XX should be referenced on all future submittals. SHA will withhold approval of the preliminary plan until it has been determined if an off-site road improvement will be required.

**Department of Planning and Zoning – Jen Wilson**

The parcel carries a total of twenty-seven (27) development rights.

One (1) development right must be retained by the remaining lands, leaving only twenty-six (26) development rights available for the creation of new lots. A new series must be submitted to address this.

All existing structures should be labeled on future submissions and the final plat.

On the next series, the setback lines for several lots shall be revised as illustrated on the attached print. Where applicable, the minimum width at building line should also be shown.

The side yard setback on Lot 14 shall be shown as 40' in width.

Lot 7 appears to have a very small building envelope due to the lot width and should be revised.

A Bufferyard 'E' is required at the rear of Lots 8-13 for the adjacent AG zoning. The Bufferyard shall be shown on the final plat.

A revised Landscape Plan is required with an updated cost estimate to include the additional Bufferyard plantings. The plan must also have a signed protective measure statement prior to approval.

Per section 131-8c of the code (Floodplain Management Program), a subdivision that includes a stream that drains over 100 acres without a mapped floodplain, a floodplain district shall be delineated as determined by acceptable engineering practices.

The Forest Conservation Plan cannot be approved at this time. Additional clarification is required for the area of the site that has been excluded from the Net Tract Area. For clarity, this area should be illustrated on the plan.

Additionally, if reforestation is required, it must be accomplished through planting. Areas counted as "Forest To Remain" must be placed within a forest conservation easement and do not count toward reforestation credit. Forest to remain that is not placed within a protective easement must be counted as clearing.

There are two isolated wetland systems (shown on the attached print) that should be revised to show connections to the adjacent main systems and the associated Natural Resource Districts will need revision. The "NRD" lines should be labeled correctly on all future submissions.

The plan proposes four (4) separate common drives to be shared by Lots 8 & 9, Lots 11-13, Lots 19 & 20, and Lots 23-27. Four (4) separate common drive agreements, providing for the use, maintenance, and responsibility of the common drive to include all lot owners who share the common drive, shall be recorded with the final plat.

Comments were invited from the public.

Kevin Brown asked if the County had any plans for renovations to Schucks Road with this development. He lives across from the proposed access. He has seen four accidents in the last year.

Mike Rist responded that the County did not have any plans; however, as part of this development, the County will require the developer to address drainage along the frontage of the property along Schucks Road by putting in a side ditch where there is none. And, where the entrances come out, they must have adequate sight distance in each direction so as not to aggravate the situation.

**EVERGREEN WOODS APARTMENTS**

Located on the west side of Vietnam Vets Memorial Highway (Route 24); south side of Tollgate Road. Tax Map 56; Parcel 591; Lots 1&2. First Election District. Council District B. BOA 5781 & 5782. Planner Shane.

Plan No.	C13-187	Create 198 garden style apartments; 17.54 acres; R3/R4.
Received	12-17-13	Evergreen Apartments, LLC/GW Stephens Jr.

Rowan Glidden of GW Stephens presented the concept plan representing Evergreen Apartments LLC, owner and developer the property. The site is subject to Board of Appeals cases 5781 and 5782. A Community Input Meeting (CIM) was held in November, 2013. This plan is consistent with the plan shown at the CIM. The major road network issue is relative to Tollgate Road. It is a Master Planned road with extension from its current end at the south end of the site, proceeding northward and intercepts Plumtree Road. The details of the design of the intersection at Plumtree Road are still incomplete and being further developed.

The site is located to the south side of Plumtree Road and west of Maryland Route 24. East of Tollgate Road, the site is zoned R4; to the west of Tollgate Road it is zoned R3. The small stub of property that is part of the Tollgate Road extension which runs up to Plumtree Road are zoned R1. The proposal is for 102 apartment units east of Tollgate Road and 96 apartment units west of Tollgate Road. A community building is also on the west side. There is public water and sewer in the area and will be extended to and through the site.

**Emergency Services – Robin Wales**

The private roads must be named and checked with Emergency Services so duplication does not take place. The buildings will be addressed when the road names are in place with the preliminary plan.

**Volunteer Fire and E.M.S. – Bill Snyder**

All apartment complexes need to have Knox Key Boxes installed on the address side of the building. The Community Center/Office shall also have a Knox Key Box installed on it if it has an automatic sprinkler system or a supervised, automatic fire detection system per NFPA 1, Part III, 3-6. They shall be keyed for the Bel Air Fire Department: 410-638-4400.

It is requested that none of the buildings use Tollgate Road for their addresses. It appears that access to all of the buildings will be on the new, unnamed roads. Due to the fact that it appears the common entrances will be from these new roads, it is requested that the buildings be addressed from these roads.

The Bel Air Fire Department and the communities near this project have concerns about changes to the Plumtree Rd/Tollgate Rd intersection. The fire department does not support closing the Plumtree Rd/Rt. 24 intersection, in a way that would prohibit fire and EMS from responding directly onto Plumtree Rd from Rt. 924 area.

Mileage from Patterson Mill Fire Station to Adelaide Lane (off Plumtree Road):

Direct travel using Plumtree Rd	1.4 miles
Using Bel Air S Parkway	2.5 miles (thru neighborhoods)
Using Ring Factory Rd	3.5 miles

**Health Department – Len Walinski**

The Health Department has extended its approval for this concept plan. The site will be serviced by public water and sewer. The Department has the following comments regarding the project:

A swimming pool is planned for this site. Public pools require specific permits and oversight from both the Health Department (HCHD) and the Maryland Department of Health and Mental Hygiene (DHMH). Construction plans for the pool must be submitted to DHMH for review and approval prior to the issuance of a building permit to construct a pool/spa. Prior to being placed into use, the facility will require a final post construction inspection by both the HCHD and DHMH and a permit issued by the HCHD to operate. Please contact Dan Driscoll of the Health Department at 410-877-2316 for further instructions regarding the construction, operation and inspection of the swimming pool.

If a vending machine area is planned for the clubhouse, review will be required from the Health Department's Division of Food Control. If there are any questions concerning this review process, please contact Mrs. Lisa Kalama at 410-877-2322.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is complete.

The Health Department encourages the owner/developer to consider smoke-free housing.

**Water and Sewer – Darryl Ivins**

The following comments shall be included as conditions of Concept Plan approval:

On the Site Plan, the public sewer must be extended in Tollgate Road northward to the northernmost entrance to the site and then westward into the site to a location that can allow the existing lots fronting on Plumtree Road to have reasonable access to the sewer main. An alignment will be provided to the engineer as a separate document. Utility easements must be granted to allow the future extension of the sewer lines to serve the adjacent properties.

The water main shown in Tollgate Road shall be a 24 inch diameter main. It shall be designed and constructed by the Developer as part of this project.

The contract numbers for this project are 9967 for water and 9968 for sewer. The numbers shall be placed on the utility construction drawings before their initial submittal to the County for review.

**DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and returned with comments.

A suitable outfall must be provided for the stormwater management facility and shall be approved at the time of final design. A breach analysis will be required for the detention pond.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Road plans for Tollgate Road will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

Site entrances shall have adequate sight distance for a 35 mph design speed.

Sidewalks shall be constructed along both sides of Tollgate Road.

There shall be no mid-block pedestrian crossings.

The intersection of Plumtree Road and Tollgate Road must be redesigned to meet County standards.

A utility permit will be required for the construction of the water line within the County right-of-way.

All pavement striping and traffic control signs shall conform to the Manual of Uniform Traffic Control Devices and State Highway Administration Supplement.

#### **Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

#### **Parks and Recreation – Paul Magness**

This plan proposes construction of 198 garden style apartments on two lots totaling 17.54 acres. The total open space required for this development is 3.78 acres, with 1.89 acres of active open space. The active open space requirement will be met with a tot lot, a community center with a pool and a walking trail system. Per Harford County zoning code, the proposed trail should be a minimum of 6' wide with a stone dust base. The recreation plan needs to be clarified concerning the trail layout.

#### **State Highway Administration – Rich Zeller**

The SHA has no comment regarding the proposed access to this site as entrances are a proposed extension of Tollgate Road which is a county road. The SHA requests the opportunity to review a traffic impact study to determine the traffic impacts of this development on the surrounding road network. We require six copies of the traffic study for review.

#### **Department of Planning and Zoning – Shane Grimm**

A Preliminary Plan shall be submitted for review and approved through DAC after Concept Plan approval has been granted. The existing record plat shall be revised to incorporate the changes that have occurred since the recording of the original plat.

A Traffic Impact Analysis (TIA) shall be submitted for review and approval at the time of Preliminary Plan submission.

A Landscape, Recreation and Lighting Plan shall be submitted for review and approval in conjunction with the Preliminary Plan. The Lighting Plan shall include a photometric plan that demonstrates proposed lighting throughout the project will not adversely affect neighboring properties or roadways.

The Landscape Plan shall place specific emphasis on the 20-foot buffer yard and ensure adequate buffering of the adjacent lots in accordance with Condition #12 of the Board of Appeals case. The buffer plantings shall provide a year round evergreen buffer. The Department of Planning and Zoning recommends that the fence required by the Board be extended where appropriate along the western lot boundary.

No grading shall be permitted within the buffer yard for the stormwater management facility.

A Pedestrian/Bicycle amenity and linkage plan shall also be submitted for review and approval. The plan shall specifically address pedestrian movements to access the amenities on the west side of the proposed extension of Tollgate Road. This plan may be incorporated as part of the Landscaping Plan.

A Forest Conservation Plan (FCP) shall be submitted for review and approval. The amount of proposed clearing should be reduced and efforts should be made to save and retain individual specimen trees or significant trees that will enhance the proposed neighborhood. Specifically, efforts should be made to retain mature trees along MD Route 24, Tollgate Road and adjoining lots.

The architecture shall be consistent with the renderings submitted to the Board of Appeals at the time of the initial hearing. Final architectural renderings shall be submitted to the Department of Planning and Zoning for review and approval prior to building permit application.

Disturbance to the Natural Resource District (NRD) shall be minimized to the greatest extent possible.

Additional comments from the DAC committee:

Len Walinski asked for clarification of the pet station labeled on the plan.

Mr. Glidden explained it was for the resident's use to clean up after their pets outside.

Comments were invited from the public.

Bill Wehland wanted to go on the record and state that there has never been any acceptable proposal or traffic impact analysis for Tollgate Road Extended at Plumtree and Plumtree at MD Route 24. Although the County has identified Tollgate Road extension in 1994, 2000 and 2010, the plans made then didn't look good and do not look good today. Effectively, the closure of Plumtree to Route 24 to accommodate this extension and the apartments is not wanted by Emergency Management personnel, the developer and the residents who use the intersection on a daily basis. He suggested that the planners review the minutes of the CIM. He quoted comments of attorney Robert Lynch from the CIM who said "this is not part of our project; we don't think it's a good idea. We have verbalized to the County that we don't believe it should be closed and the position of the traffic consultant is that it should remain open. Mr. Glidden is right. The County

says they want to close it. It's a long procedure and will require County Council approval. About 20 some years ago, the County talked about closing it and the County Council shut it down big time and said it should remain open. We think that's still going to be the position. The applicant, the developer, does not want to see it closed."

Mr. Wehland would like any such closure to be the subject of a public hearing. He would also like to recommend that a traffic impact analysis be performed by the County planners for all of the intersections that connect Tollgate Road from US Rt 1 down to its termination at I95 and Route 24. Once the road is extended, it's going to be a nightmare. It won't be a pretty picture since traffic from Magness Farm, Appletree Orchard, Riverwoods at Tollgate and now Evergreen apartments are going to be added in. There is no question that future traffic on Tollgate Road extended will affect the safety and welfare of the public. This should be raising many flags now about the problems that are going to be created. Do something now. Don't wait like had to be done at I95 and MD Rt 24 when a bridge had to be built because you couldn't foresee the future. Do something about this development corridor and do it now.

Lee Magness, 1201 Whitaker Mill Road, questioned what water supply the proposed development would be tapping.

Mr. Davenport replied it would be Harford County public water. It is now Maryland American.

Chris Colson, 2011 Cypress Drive, echoed condition #12 referred to by Shane Grimm which was specific to the area behind his property which adjoins the primary stormwater detention pond. It looks like it drops off to 10' buffer and then completely stops halfway to his property. He also wanted to echo the recommendation that the property owners on the western property line be given the same equitable treatment that those on the northern line as far as mitigating or discouraging trail users from coming onto his property. As noted, you cannot really see the trail on the plan. He also asked if anyone was present from the Board of Education to provide comments on the plan.

Mr. Davenport replied that the Board of Education is a member of the DAC Committee but was not in attendance. The attendance areas are Emmorton Elementary, Bel Air Middle and Bel Air High.

Mr. Colson added that it's great there is such detail to the environmental and public works aspects. He was familiar with the ordinance of adequate public facilities that if the school reaches 110% development stops in the school district. He is specifically referring to Emmorton Elementary. Right now, they are at 101%. Two and a half years ago it was 130%; that dropped off because of Red Pump Elementary. He some analysis and looked at how school enrollment is projected using the growth reports and it seems that across the country it's the same – we really don't know what we're doing; it's hard to get a number. But, he would like to see some kind of dynamic analysis more than a year and a half old to see how this development and others are going to affect all the facilities because two and half years ago, there were kids in trailers at the schools. The trailers are still at Emmorton Elementary. He wants to avoid that in the future. He pointed out that for one year; the analysis was actually 8% off. The projections from December, 2012 were 8% off. One more projection off and we're back to 130%. He would appreciate the Board of Education reading these meeting records or attend these meetings to provide some better analysis as to how this will affect the public school system.

Andrew Bittner, lives off of Cedar Springs, asked Mr. Bill Snyder about the width of the roadway required around turns for rescue vehicles. He questioned if the vehicles could safely get around a corner that may have cars parked on both sides.

Mr. Glidden said the internal roadways were shown at 30' wide and taper down through the parking areas to 24'.

Mr. Bittner said two cars at 7' wide each would decrease the narrowest area to only 10'. He questioned how a 50' unit could fit there. He also said people often park where not allowed.

Mr. Glidden indicated that the development has allowances for additional parking for visitors and such. There is parking in excess of what is required. The design is not intended for people to have to park outside of designated parking areas.

Mr. Snyder added that, as designed, the site appears a little tight but looks accessible for emergency vehicles. The problem more often is tree and landscape growth three to five years after the project is built. The tree overhangs can be a problem for aerial apparatus and turning radii. If there is overflow parking where it should not be, then the Sheriff's Office should be involved.

Mr. Logsdon added the Sheriff's Office can be called for the parking problem.

Mr. Bittner then had a question about the ownership and maintenance of the stormwater management ponds.

Mr. Rist replied that it would be the Department of Public Works.

Mr. Bittner asked what will keep contamination from getting into Plumtree Run.

Mr. Rist said there have been recent changes to the stormwater regulations that address the quality of the water leaving the site. There are controls such as sand filters that will absorb pollutants before going down stream. It is a pretty extensive system.

Mr. Bittner also asked if there would be any traffic calming devices on Tollgate Road.

Mr. Davenport and Mr. Rist replied that it has not been designed at this point in time.

Mr. Bittner asked if the connection of Tollgate Road was an absolute, 100% at this time.

Mr. Davenport replied absolutely. It is a major transportation element of the Harford County transportation plan. It has been 25 years for that piece of Tollgate Road.

Mr. Bittner added that he felt very bad for any kids that will need to cross that street. He would rather there be a way to dead end the road and keep it a more private community where there would not be a lot of traffic flow. There will be 2,000 – 3,000 cars going through there at the non-posted speed limit. He noted the Sheriff's Office gives a lot of tickets out on Tollgate Road and that is going to continue. Cars will keep flying through there.

Mr. Colson asked if there were setback requirements for storm water ponds from adjoining properties.

Mr. Rist replied there are setbacks in the stormwater regulations.

#### **HARFORD HILL FARM**

Located at the end of Engle Road; west of Pocock Road. Tax Map 38; Parcel 22. Fourth Election District. Council District B. Planner Eric.

Plan No. P13-188 Create 12 single family lots; 246.60 acres; AG.

Received 12-18-13 Jeffry Amling/Charles Noell/Morris & Ritchie Associates, Inc.

James Keefer of Morris & Ritchie Associates presented the preliminary plan. It is a 246 acre farm off of Pocock Road and Engle Road from the Hazelwood development. It is allowed 24 development rights. The plan proposes 12 total lots; half the density that it is allowed. Lot 1 is the bulk of the farm with 229 acres. The remaining piece is to be divided into 11 conservation development standard lots. The average size will be just less than 1.5 acres with the lots being 1.12 to 1.89 acres. The lots will be served by on site wells and septic systems. Percolation testing has been conducted with the Health Department. The plan for the 11 lots which are part of the new development will come off of a cul de sac which will extend Engle Road into the property. Engle Road currently dead ends at the property line. The plan is being submitted at this time to grandfather the property and its development rights under the provisions of Senate Bill 236, also known as the Septic Bill which required the submittal of a preliminary plan by the end of 2013 to retain the right to do a major subdivision. His understanding is that it is not the intention of the property owner to proceed with the development at this time but merely to preserve the development opportunity.

#### **Emergency Services – Robin Wales**

The lots have been addressed continuing the 2400 block of Engle Road and she can work with the planner.

The houses on these common drives and panhandle lots are getting more and more difficult to locate. Emergency Services is requesting when there are two or more lots on a common drive, that it be named a private road and addressed accordingly. Private road names must be checked with Emergency Services so duplication does not take place.

The addresses of panhandle lots shall be displayed at the entrance within 10' of the public roadway, at least 3' high and at each driveway to indicate the proper lane of access for each property.

#### **Volunteer Fire and E.M.S. – Bill Snyder**

No comment.

#### **Health Department – Len Walinski**

This plan proposes to create 12 single family lots from an existing agricultural parcel. Lot 1 is improved with 3 tenant houses and an existing main residence. Tenant house #1 and #2 share a well and each is serviced by its own individual on-site disposal system. Tenant house #3 is serviced by an individual well and on-site disposal system. The main residence is serviced by an individual well and on-site disposal system. Satisfactory soil tests were conducted on October 23, 24, 28, 2013 and November 26, 2013.

The lots are being created under the Conservation Development Standards. Lots created utilizing these standards are allowed to establish a septic reserve area (SRA) as small as 10,000 square feet. Harford County Code 216-19 F (1) states, "At the time the plat is recorded, the disposal area required shall be based on a four bedroom dwelling. A minimum of four systems (initial and three recovery) or 10,000 square feet, whichever is greater, must be available on the lot."

Prior to further review, the following are required to be shown on a print to the Health Department.

Modification to the well site for Lot 2 is required due to the well radius overlapping the septic reserve areas of the neighboring properties at 2416 and 2417 Engle Road. In addition, the proposed well site for Lot 2 is down gradient from the existing SRA for 2417 Engle Road and the proposed SRA on Lot 12 therefore, a minimum of 200' separation between the proposed well and the SRAs is required.

The consultant must also make modification to the well site for Lot 10 due to the well radius overlapping the SRA for Lot 10.

If there are any restrooms in the barns or out buildings, these facilities must be serviced by an on-site disposal system and a water supply. If these facilities do exist, the system must be located and indicated on the plan.

The consultant must submit a detailed site plan for each lot providing the initial septic system design layout and the layout for 3 future systems based on a minimum of a 4 bedroom dwelling. The layout must meet all required setbacks and on-site disposal system design standards and practices. The design should also determine the need for the use of a pump system. This office will provide the septic trench requirements to the consultant. The plan, as submitted, may necessitate reconfiguration in the proposed septic reserve areas and/or lot lines and a revised preliminary plan.

Upon receipt of the above information, the Department will update its comments. Upon approval of the Preliminary Plan and prior to final plat approval, the following are required:

The consultant/applicant must make application for a "Notice of Exemption to Appropriate and Use Groundwater." The completed application is to be submitted to the Health Department and upon processing, the completed application will be forwarded to MDE.

The existing septic systems on Lot 1 for the three tenant houses and the main residence must be pumped, inspected and certified by a contractor who has completed a course approved by MDE for the proper evaluation of on-site septic systems. The licensed septic contractor must submit a report of the findings to the Department for review. Any deficiencies noted must be corrected to the satisfaction of the Health Department.

The existing well which services tenant house #1 and #2, in addition to the well that services the main house, must be tested for bacteria and nitrates.

Tenant house #3 is serviced by a well permit which was drilled in 2010 under permit HA95-1590. Sampling for this well was never completed and therefore was never issued a Certificate of Potability (COP) to place the well into service. This well must obtain a COP which consists of two consecutive good bacteriological tests taken at least 7 days apart and test for nitrates, turbidity and sand. In addition, a test for Gross Alpha and Gross Beta particles is also recommended due to the proximity to an adjacent geological formation where these particles may be present.

The final plat must bear the well, septic reserve area and plat plan notes. The square footage amount of each septic reserve area must be clearly labeled on the final plat.

**DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. Practices located on individual lots are the maintenance responsibility of the lot owner.

Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

The driveways must be paved within the County right-of-way prior to issuance of any use and occupancy permits and provide adequate site distance for a 30 mph design speed.

A school bus cul-de-sac shall be provided on Engle Road unless the school board determines that one is not required.

**Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

**Parks and Recreation – Paul Magness**

No comment.

**State Highway Administration – Rich Zeller**

No comment.

**Department of Planning and Zoning – Eric Vacek**

This plan proposes to create twelve (12) single family residential lots by subdividing an existing parcel. The property totals 245.60 +/- acres and is zoned Agricultural (AG). The project shall be designed as a single family development with conservation development standards (CDS) as defined in Section 267-72 of the Harford County Development Regulations. The developable area shall not exceed twenty-five percent (25%) of the total parcel. The preservation area shall not be less than seventy-five percent (75%) of the total parcel. The creation of the proposed lots shall

be achieved by utilizing twelve (12) development rights from the subject parcel. Following the creation of these lots, the property shall be subject to an easement as noted in the CDS design standards. This shall be completed prior to final plat approval.

A Forest Stand Delineation (FSD13-020-1) was submitted and approved by the Department Planning and Zoning. No grading shall be permitted in the wetland buffers for actual home construction. Forest clearing appears to be close to the NRD on Lot(s) 2 and 10, respectively.

The lots are subject to the Harford County Forest Conservation Regulations. A Forest Conservation Plan (FCP13-188-1) has been submitted for review to the Harford County Department of Planning and Zoning.

A Landscaping plan has been submitted to the Harford County Department of Planning and Zoning for review.

Waters of the United States and/or associated wetlands were identified on this site. If applicable, permits must be obtained by Maryland Department of the Environment (MDE) and/or Army Corp of Engineers. The Department of Planning and Zoning requests that approved copies of the permit be provided and placed in the file for information purposes.

Homeowner's Association (HOA) documents must be established for the ownership and maintenance of any proposed drainage or storm-water management facilities.

A common drive agreement shall be completed and submitted for Lot(s) 7 and 8.

Comments were invited from the public.

Joann Bell, owns the neighboring farm, wanted to know the location of the entrance for the larger parcel.

Mr. Keefer replied that it will continue to use the existing driveway.

Ms. Bell said that the present home with 57 acres is for sale and wanted to confirm that it is not part of this plan.

Mr. Keefer said he was not aware of the sale.

Ms. Bell reiterated the property, including the outbuildings, is for sale and asked how anyone who purchases it would have access. She asked if there would need to be an agreement among neighbors for the use of the driveway.

Mr. Davenport stated this plan is for the subdivision of the 57 acre property. It will not be separate.

Ms. Bell stated she had talked with the realtor and that it was for sale right now.

Mr. Davenport again said that the 57 acres could not be sold from the property.

Ms. Bell said her property is in the Maryland Environmental Trust which she is thankful for in that it can never be subdivided. She thought this farm was also in the Trust.

Mr. Davenport responded no. This subdivision is being done under Conservation Development Standards which will require all property outside the developed lots shown will be put into a conservation easement which prohibits further subdivision. 229 acres will be in the conservation easement for perpetuity; that is lot 1. Lot 1 will continue to operate as it currently does.

Ms. Bell asked about the statement that the developer was not looking to develop at this time. She asked if they were just going through the motions.

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 26 of 49**

Mr. Keefer clarified that they are following the provisions of the Senate septic bill where lots must have a preliminary subdivision plan submitted for review by the end of 2013. That is the reason for this plan being submitted at this time so that it may be grandfathered.

Ms. Bell asked if they were looking to develop at this time.

Mr. Keefer said it was his understanding not at this time.

Ms. Bell asked about a future timeframe. She asked if she should be selling her property now.

Mr. Keefer replied it is his understanding that there is no immediate intention to develop.

Ms. Bell asked about the entrance on Engle Road. She said there is currently a gate at the dead end on Engle Road. She understood that the first 5'-8' prior to the gate is not their property and wanted to know if permission was needed from the Engle Road residents or the County; who owns the strip?

Mr. Davenport replied that the County should own the strip.

Mr. Keefer said the recorded plat for this part of the subdivision shows the right of way extending to the property.

Ms. Bell asked if they would be given permission to get to the first 5' of the property.

Mr. Davenport replied that it is part of the public right of way so they have the ability to use it.

Doug Baralo, lives on Engle Road, asked why, with 200+ acres, is everything being pushed into one corner of the property and why is there no buffer. It looks like the first house is against his neighbors. He wanted to know if it could be "pushed up" with a 100' buffer. They look like very small lots. He felt it would look like the 11 proposed houses were being built right on top of the neighboring properties.

Mr. Keefer said the idea was to use as little land as possible for the lots so that they could keep as much contiguous forest and agricultural land in the conservation easement.

Mr. Baralo said he would just like to see a little more buffer since there are so many acres to work with.

Mr. Keefer replied that part of the reason is also generated by where they could find perc areas and where the septic reserve areas would fit.

Mr. Baralo again asked why the lots were being crunched together and could they be 2 acre lots.

Mr. Keefer answered that was not allowed. In a Conservation Development Standard only a 1.5 acre average is allowed. In fact, it must be less than 2 acre lots except for the conservation lot.

Celeste, lives off of Pocock Road, asked if grandfathering meant that this plan is the only thing that can be done in the future.

Mr. Keefer replied yes.

Celeste also asked if the property were for sale, could the development happen in a year.

Mr. Davenport replied the sooner the plan is approved, the sooner the property owner may record the lots, build the road, etc.

Celeste wanted to confirm that the property owner is not going to develop the property.

Mr. Keefer said that was his understanding at this time, but anything can happen.

Lee Magness added it was the Senate septic bill that destroyed the property values of many farms.

Janet Street had concerns about EMS and the protocol for fire hydrants around properties with wells.

Mr. Snyder replied there is no public water near this site. It was his understanding that the houses on these lots would have to be sprinklered. The Fallston/Jarrettsville fire companies that would respond to this area have large capacity tanks over 1,000 gallons on their apparatus. The water would be transported to the scene.

Ms. Street asked if anyone from the school system was represented at the meeting.

Mr. Davenport said the Board of Education is a member of the DAC committee.

Ms. Street added that this development is not the only one in the area that is affected.

Mr. Davenport added the schools for this development are: Jarrettsville Elementary, Fallston Middle and Fallston High. They are not closed at this time.

#### **APPLE TREE ORCHARD**

Located on the west side of Tollgate Road; south of Winter View Drive. Tax Map 56; Parcel 22. Third Election District. Council District C. Planner Jennifer.

Plan No. P13-190 Create 31 townhouse lots & 1 sfd lot; 24.180 acres; R2.

Received 12-18-13 Kanaras LLC/Bob Ward Companies/Bay State Land Services, Inc.

Mitch Ensor of Bay State Land Services, Inc. presented the preliminary plan. The property is a 24 acre parcel zoned R2 located just north of the Tollgate & Ring Factory Road roundabout. This development is proposed as COS provisions of the zoning code allowing for townhouses. The proposal at this time is for 31 townhouse lots and 1 single family lot. The single family lot will have access off of Deep Ridge Road with a single driveway off the end of the current roadway. Some minor road improvements will be proposed at the end of the cul de sac to facilitate snow removal in that area. The 31 townhouse lots will be accessed off of Tollgate Road. The roadway is proposed to come in and then spur off into two individual cul de sacs as a public road. The plan proposes public water and sewer to all of the lots. One sewer note is that this property would facilitate the extension of a sewer line from the Fairwind Farms sewage pumping station by gravity down to the Ring Factory Road sewage pumping station currently under design and anticipated to be under construction this spring. The site has a significant amount of forest and environmental features. The plan proposes to impact a slight amount of NRD area to facilitate the sewer construction as it runs down through to connect the pump stations. Four acres of forest are proposed to be cleared. Stormwater management plans, landscape plans and forest conservation plan have been submitted to facilitate this preliminary plan review.

#### **Emergency Services – Robin Wales**

The roads must be named and checked with Emergency Services so duplication does not take place. Road A should be addressed in the 500 & 600 block; Road B 1000 block.

**Volunteer Fire and E.M.S. – Bill Snyder**

If a connectivity trail is installed between Road B and Deep Ridge Road it is requested that the trail allow for entry of pick-up sized vehicles to enter from both entrances. Entrances could be locked for emergency access only.

**Health Department – Len Walinski**

The Health Department has extended its approval for the preliminary plan. The site will be serviced by public water and sewer. The plan currently lists two lots as Lot 31, one townhouse lot and the single family lot. This Department recommends the single family lot be listed as Lot 32 on the final plat.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is complete.

The final plat must bear the standard owner's statement and the master plan conformance statement.

**Water and Sewer – Darryl Ivins**

A new series of this plan is required to address the following comments, concerns and/or requirements of the Department of Public works, Division of Water and Sewer, on the above-described project.

Show the proposed sewer service and identify the limit of the public main that must be constructed to serve Lot 31.

The existing water main along Tollgate Road is a 12 inch main, contract number 6012. It shall be noted correctly on the contract drawings and the next series of this plan.

A six inch diameter sewer service shall be constructed to serve Lot 1 of Winterview Court. It shall end five feet behind the curb. The manhole in front of Lot 8 shall be shifted and an 8 inch diameter sewer stub shall be extended from it towards the common lot line between Lots 2 and 3 of Winterview Court. The sewer line shall terminate in a lamphole five feet behind the proposed curb.

The preliminary design of the sewer main must be set at an elevation which will allow abandonment of the Fairwind Farms Sewage Pumping Station. The final grades and alignment of the sewer line to the pumping station shall be provided to the Division of Water and Sewer with the initial submittal of the sewer drawings for this project.

The sewer line near the stormwater management pond at the end of Road "A" may not be placed within any part of the embankment of the pond.

The water service for Lot 31 shall connect into the existing 2" main in Deep Ridge Road. The service must stay within the road right of way unless additional easement is obtained through the open space.

This project shall utilize water meters located in vaults near the property line.

The sewers in this project will connect to the sewers within Magness Overlook Phase 3. This project is also dependent upon the construction of the Ring Factory Sewage Pumping Station.

Construction drawings and subdivision plats for the Apple Tree Orchard subdivision may be approved when the sewage pumping station is within 120 days of completion in the opinion of the County and the Magness Overlook Phase 3 water and sewer contract has been declared operational in writing by the County. It is unknown by the Division of Water and Sewer when these contracts will be constructed.

This project is currently in the W-5/S-5 category in the Water and Sewer Master Plan. It is the property owner/developer's responsibility to request in writing to the Division of Water and Sewer to have the category designation revised to the W-3/S-3 category. The category designation may not be revised until the Preliminary Plan has been approved by the Department of Planning and Zoning. A public hearing in front of the Harford County Council must be held to revise the category designation. The Council must approve this request. Subdivision plats may not be recorded until the category designation has been changed.

It is the responsibility of the developer to coordinate with the home builder to insure that all sewer cleanouts that are located within driveways have a lamphole frame and cover installed over them as identified in the water and sewer construction drawings.

The contract numbers for this project are 19538 for water and 19539 for sewer. The numbers shall be placed on the utility construction drawings before their initial submittal to the county for review.

If there are any buffer yards that are required as a result of this development that are not shown on this plan, then the Division of Water and Sewer requests that another series of this plan be provided which identifies the location and width of the buffer yard. The final plats for this project must include drainage and utility easements between the proposed lots to the tract boundary as stated in this approval letter.

When the water and sewer construction drawings are approved for the townhomes in this subdivision, they will be approved for only the building footprint and driveway locations shown on this plan. The architectural drawings and driveway layout shall be provided with the water and sewer contract drawings. Any revisions to the shape of the building footprint will require that the utility drawings be revised to show the new configuration of the unit. Additionally, if a group or block of buildings is shifted, revised construction drawings must be approved for the change. The Developer hereby agrees to relocate at his expense any services that are incorrectly placed within a driveway or sidewalk.

#### **DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. Practices located on individual lots are the maintenance responsibility of the lot owner.

Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

The site entrance onto Tollgate Road shall have adequate site distance for a 35 mph design speed.

A school bus cul-de-sac shall be provided in the development unless the school board determines that one is not required.

An access permit is required for the single family driveway onto Deep Ridge Road.

It is recommended that a paved pedestrian access be provided to the Magness Overlook property.

A 30' right-of-way dedication is required along Tollgate Road.

#### **Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

#### **Parks and Recreation – Paul Magness**

This plan proposes construction of 31 townhouses on a 24.41 acre property under Residential – Conventional with Open Space zoning. The total open space required for this development is 2.441 acres with 1.22 acres of active open space. This plan proposes 19.323 acres of open space with .221 acres of active open space. The active open space requirement needs to be met onsite and a revised plan will need to be submitted. The recreation plan should identify the amenities to be offered in the community. If a trail system is part of those amenities as proposed, the trail should be a minimum of 6' wide with a stone dust base.

#### **State Highway Administration – Rich Zeller**

No comment.

#### **Department of Planning and Zoning – Jen Wilson**

A 50' wide Bufferyard 'E' is required along the rear of the property for the adjacent AG zoning. The Bufferyard shall be shown on the final plat.

There is an inadequate amount of active open space provided. A new series must be submitted to address this issue.

There are two large areas of steep slopes extending off site on the north side of the property. GIS indicates these areas are over 40,000 square feet and should be included as NRD. The boundary of Lot 32 shall be revised to avoid these areas of NRD.

Due to the large amount of steep slopes and Natural Resource District on the site, the Department would like to see a detailed plan showing the slope analysis at a larger scale to help determine the NRD boundary. It appears there are areas of steep slopes that were not included in the slope analysis shown.

There is disturbance to the NRD due to the parking spaces along Road A. These NRD disturbances shall be removed.

Every effort should be made to minimize the disturbance to existing forest and NRD, specifically that caused by the cul-de-sac and SWM pond at the end of Road A. Consideration should be given to a different cul-de-sac layout if it minimizes forest and NRD disturbance. Limiting this disturbance will improve the protection of the ecosystems in the NRD.

This property has headwaters to tributaries that drain to a Tier 2 catchment area.

The Forest Conservation Plan cannot be approved. The plan must be signed by an appropriate forest professional as required on the plan checklist.

There appears to be a large amount of unjustified clearing for the development of the single family lot. Tree removal shall be reduced wherever possible due to the many sensitive environmental features onsite.

The Landscape Plan cannot be approved. The plan is missing a signed/owner developer statement.

The 44 proposed street trees are being credited toward reforestation and shall be included within the required reforestation bond. The bond must be received prior to the issuance of a grading permit or building permit and will be subject to the two-year release schedule for reforestation bonds.

Additional comments from the DAC Committee include:

Robin Wales, Emergency Services, asked Mr. Ensor about two lots both labeled as Lot 31. Mr. Ensor responded that the single family lot will be corrected to Lot 32.

Comments were invited from the public.

Lee Magness, 1201 Whitaker Mill Road, asked when the original plan changed. Back in 2007, the plan was approved for 17 single family lots. That is what the County Council saw. Now it is almost double the number of houses.

Mr. Davenport responded that the County approved a plan years ago for single family lots. That plan was allowed to expire.

Mr. Magness asked if they are now allowed to double the quantity of houses.

Mr. Davenport said they are allowed to develop the property in accordance with the R2 zoning code.

Mr. Magness asked which water supply this project will use.

Mr. Ivins responded it is Harford County supply.

Mr. Magness asked if there was sufficient water supply given double the number of units.

Mr. Ivins replied yes.

Mr. Magness commented about the walking trails. It needs to be made very clear that the property does not extend to the stream. All the land back there is not public property or parkland; everybody in Fairwind Farms seems to think it is. He asked that trails and boundaries be clearly marked as it is not public property open for access. He has had a lot of problems with that.

Fred Pucci commented that he did not want townhomes on the property. He thought the developer was making a killing on the last 24 acres. He was upset that 31 townhomes would be allowed. He questioned what would happen down the road. He said they would be Section 8 homes just like over on Broadway.

Delynn Linnett, president of the homeowners association in Fairwind Farms, stated that they object to having Deep Ridge Road opened up to this development. They already have sufficient traffic problems within their own community and adding 31 townhomes plus the 1 single family unit is going to cause even greater problems with traffic as well as juvenile delinquency issues. They would like to see the plan not go through with that extension. Also, the grading happens to be a lot more than 25% looking at the property, in the area of the road extension.

Mr. Davenport clarified that there is no planned extension of Deep Ridge Road.

Mr. Linnett said he understood there was access for 1 single family home. He wanted to know how it could be guaranteed that the other 31 properties would not go through.

Mr. Davenport added that there is no physical connection between the single family home and the townhomes. He asked Mr. Ensor to show Mr. Linnett the road layout on the plan.

Mr. Linnett asked if the single family home would be a part of the covenants and bylaws of their homeowners association.

Mr. Davenport replied no because the lot will not be a part of Fairwind Farms.

Mr. Linnett asked what the lot would be legislated by.

Mr. Davenport said it would be up to the developer to determine if there would be any restrictions on the property.

Mr. Linnett stated that, as he understood it, they have no rights as a 284 unit development to request that the single family access not be granted.

Mr. Davenport replied that they have no right in denying the property owner the right to access a public road.

Mr. Linnett added that there are many Fairwind Farms homeowners present who are dead against this.

Claire Jones, member of the homeowners association, stated that the single family with access off of Deep Ridge even though it is not technically part of Fairwind Farms, there will be an overall impression that it is part of the community. Fairwind Farms has community common grounds that the single family lot may feel they have access to – like the tennis courts, baseball field, etc. Also, with regard to upkeep of the property, Fairwind Farms has current regulations for the community that require certain standards be met for the property. If the lot is not part of Fairwind Farms, it could negatively reflect upon their community should someone on Deep Ridge want to sell and the lot has broken down auto sitting on the property. The appearance of the single family home will have an impact on the community. She does think that has been taken into consideration or what can be done to ensure that their 200+ homes don't get negatively impacted because of one single home built by this developer. She asked why, if they have to do the townhomes, which she is totally against, do they have to add a single family home right there at the end of Deep Ridge which could or could not have a negative impact on her entire community.

Mr. Davenport asked Mr. Ensor to address whether or not there would be any covenants or restrictions.

Mr. Ensor explained that most communities do have them, but he could not speak to what restrictions would be put on the lot. Most communities have them to protect the property values of those who are buying there. It would be to their own benefit to create such covenants because a negative impact of the single family home to Fairwind Farms would also affect those in Appletree Orchard as well.

Mr. Linnett did not understand how that could be since the properties are separated by woods. You will not be able to see the single family homes from the townhomes. There is no access from what he saw on the plat plan. It would only be an impact to Fairwind Farms.

Robert Eickhoff asked if this plan would require a stormwater management pond and would the homeowners association include the single family.

Mr. Davenport replied yes.

Mr. Eickhoff said he had attended a meeting about six months ago regarding the Magness Overlook project that is coming off of Tollgate Road. It has about 80 townhouses in it. In that discussion, because they did not have a sewage pump station, the plan proposed going through Appletree to get to the Fairwind Farms station. He wanted to know if that was still the case.

Mr. Ivins explained that the proposed Appletree development will have to utilize the pumping station being built by Magness Overlook.

Mr. Eickhoff said he remembered that Magness Overlook was not going to build any station as recent as six months ago.

Mr. Ivins stated that Magness Overlook had to build a pumping station as well. No one will be connecting to the station at Fairwind Farms.

Mr. Linnett asked if the Fairwind Farms station was going to be abandoned.

Mr. Ivins replied yes.

Mr. Linnett asked what would happen to the Fairwind Farms pumping station.

Mr. Ivins replied that there would no longer be a pumping station at the site. The sewage will flow by gravity through the sewer line described by Mr. Ensor to the new station at Magness Overlook.

Mr. Eickhoff confirmed with Mr. Ivins that all the sewage from the Fairwind station will now go over to the Magness Overlook station.

Mr. Ivins explained the Fairwind Farms station will be eliminated. There will no longer be a generator there or the station itself. It will be abandoned and removed from the ground and the site returned to generally a grass lot. The sewage lines will remain underground.

Nicole Dehart, 503 Winterview Drive, had concerns about how far the road in Appletree Orchard would be off the back of her property. She has small children and right now there is no fence.

Mr. Davenport stated the road abuts her property. There is about 5' of open space between the road right of way and her back property line. The developer is proposing a retaining wall through portions of it.

Ms. Dehart said her septic area is in the back as well. She indicated her property on the plan to Mr. Ensor. She does not have a very deep backyard to start with. She also had concerns with the school system and traffic. She does not have a bus that comes back to her house.

Mr. Davenport added that the County will ask that available options be looked into for fencing or possible landscaping in that area.

Ms. Dehart said that would be appreciated.

Robert Schreiber, 802 Deep Ridge Road – last house on the right hand side going down Deep Ridge Road, felt he may be the most affected by the proposed single family lot and the driveway off the end of the cul de sac. The intention for adding the single family is obviously for financial gain but he is concerned about the buffer zones. He asked if the lot would be wooded or would it be stripped off.

Mr. Ensor explained that because of the topography, the single family home would probably be set back a few hundred feet.

Mr. Schreiber asked if there would be a buffer between the current homes that abut the lot.

Mr. Ensor replied that currently there is an access road that goes to the sewage pumping station.

Mr. Schreiber said that 10' over there is a row of trees as well.

Mr. Ensor said it is unlikely that grading would occur right on the property line. It is likely that the trees are a benefit to the existing homes as well as the new lot. The design objective is to make the most value for the lot as well as saving any trees that add value.

Mr. Schreiber asked if the road would go away when the pumping station is gone.

Mr. Ivins replied that it was more than likely.

Mr. Schreiber asked if additional trees would be put in place.

Mr. Ivins explained that there are utilities underground that run down the entrance road as well as in and around the pumping station. Tree roots are not good for public sewer mains so the area will probably remain grassed.

Mr. Schreiber asked if any consideration had been given to DNR with regard to the four acres that will be stripped down to accommodate the sewer line. There is a lot of wildlife in the area. He has started to see the wildlife wander back into his property just with the development of the Richardson property. That is a concern for him.

Mr. Davenport said that the DAC comments had noted that forest clearing needed to be reduced on the Forest Conservation Plan. They are subject to County forest conservation regulations and the natural district resource regulations which have basically defined where the property can be developed.

Mr. Ensor added that most of the clearing of the 4 acres is to support the sewer line that runs from Fairwind down to the Magness pump station. It is a minimum 30' wide easement and the regulations require that the entire 30' be cleared.

Mr. Schreiber asked if that was along the backside of the property.

Mr. Ensor replied that it meanders through the property.

Mr. Schreiber added that saving as many trees is a huge concern for those along the back.

Mr. Ensor added, for the record, that this property could support 109 lots by zoning code by right. It is inundated with NRD and it is their obligation not to disturb that NRD. In short terms, this property is about the best benefit an adjoining property could have. The owner is just trying to develop the usable portion of the property.

Mr. Schreiber asked about the traffic monitoring for this area given the addition of homes recently in Richardson's Legacy, here with 31 additional townhomes and the future apartments going in at Plumtree and Tollgate. He is seeing traffic during the holiday season that backs up almost three circles. It starts at the mall to the Home Depot circle, then the circle at the hospital and beyond that to the third circle. It is to the point where they cannot get out of their own

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 35 of 49**

development for a 45 day period between Thanksgiving and Christmas. Even Saturdays, all weekends, during the regular season the traffic makes a left turn bad because of the traffic backing up.

Mr. Davenport said the County is looking at the traffic impact analysis. The analysis has not been received for Evergreen Woods but it is a huge key in the traffic questions being raised.

Ron Clontz, lives off of Winterview, questioned the stream at the backside of the property. He wanted to know if the proposed townhomes would meet the required clearances.

Mr. Davenport replied that no jurisdictional streams have been identified in that area. It will be looked at but they are not currently platted.

Mr. Clontz added that when he built his home in 1996, he was mistakenly told there was no way to build because there was stream. He did not know where it went; maybe it had dried up.

Mr. Davenport said the County would take a look at it. It was not indicated on the Appletree Orchard plan that was approved in 2006.

Mr. Clontz felt there may be a spring back there and would like someone to verify.

Mr. Eickhoff stated that with regard to 5' variance, he has a fence on his property and then starts a hill. The hill is only about 4'-5' so if grading starts there, his fence may start shifting or falling. He wanted to know who would be responsible.

Mr. Davenport replied that if the developer causes the fence to fail, they would be responsible.

Ms. Jones asked if there was any possibility or flexibility on the part of the builder to access the single family lot without extending Deep Ridge Road due to all the concerns about the effect to the neighborhood. She asked if the lot could be located somewhere else on the plan.

Mr. Davenport said no and explained that the County would not approve clearing of forest and streams to access one lot while it is safe and legal access off an existing road. This is a one acre lot in Bel Air. It is not going to be an inexpensive lot to purchase or develop. This will be a valuable lot and will be constructed with a home that meets the minimum standards of the Fairwind Farms subdivision.

Debbie Hiob felt it would be a benefit if the single family lot could be a part of the Fairwind Farms homeowner association.

Mr. Davenport replied that may be possible, but the County cannot dictate that the lot participate in her association.

Ms. Hiob asked if the lot would be part of the association for only the time the residents were there or otherwise.

Mr. Davenport said that would be solely up to the individuals making the agreement.

Ms. Hiob questioned if the builder had been asked to join the association.

Nancy Miller, lives on the property adjoining Robert Schreiber, said there is an erosion problem going on. When the access road was put in for the pumping station it needed to be re-graded and have more stone put along one side because of the erosion. She wanted to make that concern known. She asked if when the area is re-graded with removal of the pump station, if additional trees could be planted to help hold the water.

Mr. Ivins explained that when the roadway is abandoned all the paving and gravel will be removed and the area will be re-graded and seeded and make sure it is stabilized so it should not erode when complete.

Mr. Linnett asked who would maintain the grassed area.

Mr. Ivins responded that the County would do seasonal mowing on the grassed area that the County retains just as is done now.

Ms. Miller asked if they would be allowed to plant trees.

Mr. Ivins explained if the HOA desires to plant a few trees they would need to get permission from the Division of Water and Sewer. He thought it would be allowed although he could not speak for the County Law Department. If it did not impact the water and sewer facilities the Water and Sewer Division would not have any specific objections.

Ms. Miller asked if that would include either buffer area on the sides of the road. She understood it to be 6' on either side.

Mr. Davenport responded that a plan would have to be looked at with reference to the proposed plantings and the sewer line.

Mr. Ivins added that the County only owns a narrow right of way through the open space shown on the plats. The large area is mostly open space as part of the HOA. He thought the area that Ms. Miller was envisioning for tree planting was probably already on the HOA property anyway.

Ms. Dehart asked if there was a timeframe for construction.

Mr. Ensor replied that, in broad terms, it would be next year.

Mr. Clontz asked if the property running along the back of Winterview would have a sidewalk.

Mr. Ensor replied that the plan proposed a sidewalk on the townhouse side of the road. He added it is fairly typical with today's world of stormwater management that, where possible and practical, sidewalks on both sides of the street are becoming a less viable practice because of impervious surface. If there is no need for a sidewalk, they are typically asked not to add that improvement on the design.

Mr. Clontz asked Mr. Ensor to point out where the partial retaining wall would be.

Mr. Ensor indicated such on the plan.

Ms. Dehart asked what would be at the backside of her property. She wanted to know if it would just be a road.

Mr. Ensor said it would be grass and then the road.

Mr. Linnett said that Fairwind Drive and Deep Ridge Road currently has a stop sign only on Deep Ridge. If there is another house coming in there that has to turn right onto Fairwind to get out could there be consideration given to putting a four way stop on the corner.

Mr. Rist replied that no consideration has been given but it is certainly something that can be looked at although he didn't think one house would make a difference there.

Glen Turner, 735 Fairwind Drive at the corner of Fairwind and Deep Ridge Road, wanted to be on the record as strongly opposed to this development. He is concerned about the

townhouses, the apartments and the possibly closure of Plumtree Road. He felt it was a disaster waiting to happen and that safety was more important.

Tom Miller, Fairwind Drive, asked if construction vehicles would be prohibited from using the pumping station access road during construction of the single family house.

Mr. Davenport replied that authority would be needed from the Water and Sewer Division to use the access road. There is a portion that is HOA open space area and that would require permission from the HOA.

**SUSQUEHANNA MEADOWS – PHASE 2**

Located on the north side of Webster Lapidum Road, on the east and west sides of Cooley Mill Road. Tax Map 37; Parcel 42. Second Election District. Council District D. Planner Eric.

Plan No. P13-191 Create 30 residential lots; 175.22 acres; AG.

Received 12-18-13 Estate of Elwood V. Stark/Susquehanna Meadows, LLC/FWA.

Lou Schaffer of Frederick Ward Associates presented the preliminary plan. The plan has been in the development process for a number of years. For reference, the Phase 1 part of the development included the lots along Cooley Mill Road and seven lots along Webster Lapidum Road and the first portion of Yearling Drive. The property is zoned AG. It is allowed to develop 46 lots by right for the entire parcel with family conveyances. The plan includes 30 lots in Phase 2. There were 14 lots in Phase 1. The one lot along Cooley Mill Road will be developed with three development rights available to it in the future. Perc tests have been performed and septic reserve areas have been configured in accordance with Health Department guidelines. Test wells have been drilled along with aquifer tests. Additional well permits will be required from MDE for the project. The project will have public roads with large open sections utilizing side ditches for stormwater management purposes. There will also be other various water quality devices throughout the site that will treat pollution at the source. A concept plan has been submitted and they will be able to reduce the runoff after development to a quantity of water lower than existing, therefore no quality stormwater management is proposed. There are areas of NRD that run through the site that will remain open space. The landscape plan has required buffer yards.

**Emergency Services – Robin Wales**

In August of 2009, Emergency Services had asked that Whitetail Drive be renamed due to 12 road names beginning with White already in Harford County. The Department requested the name continue with Yearling Drive.

Antler Court addresses will be in the 4000 block. Lot 44 is addressed at 152 Cooley Mill Road and the new road name is in the 100 block. The plan is addressed and she can work with the planner.

**Volunteer Fire and E.M.S. – Bill Snyder**

It is requested that the existing pond that will be close to Antler Court have a fire department water drafting pipe added to it. This would allow the fire department to use the pond water in case of fire. A picture example was provided.

### **Health Department – Len Walinski**

This plan proposes to create 30 single family lots from an existing agricultural parcel. Several buildings are located on this parcel and are serviced by wells and on-site disposal systems. All of the new lots will be serviced by individual wells and on-site disposal systems. Soil tests were conducted on April 27, 2005, March 30 and April 1, 2005, January 21, 22 and 26, 2005, December 1, 2004, November 8 and 9, 2004, the week of April 21, 2003 and March 11, 2013.

The Maryland Department of the Environment, Oil Control Program, has closed its investigation of this site involving the petroleum impact from the removal of a 550 gallon gasoline underground storage tank. Monitoring wells and production wells were installed to monitor the water quality in regards to the impact of the tank. The source of the contamination was highly localized to the immediate area of the source of contamination.

The area around the former farm structures along Antler Court east of Lot 15 and south of Lot 28 will no longer be developed and will be included in open space. The SRAs in this area need to be removed from future submittals. All the existing wells, septic systems and buildings in these two areas are to be properly eliminated.

The plan, as submitted, cannot be approved at this time. The plan lacks sufficient detail to conduct a full review. A revised print that is to scale of 1 inch = 100' or larger must be submitted to the Health Department to aid in review of this plan. Upon the submittal of the requested plan, the Department will provide a complete set of comments. At this time, the Health Department has the following limited comments regarding this proposal that must be addressed prior to approval of this plan:

Soil test site 215A is unacceptable and will require additional wet season soil tests or modification to the septic reserve areas.

A well site must be provided on Lot 44 and the proposed well in the open space adjacent to Lot 44 must be eliminated.

Upon submittal of a satisfactory plan and approval of the Preliminary Plan, the following items must be completed prior to final plat approval:

A Ground Water Appropriation (GAP) permit must be secured by the Maryland Department of the Environment and the number displayed on the final plat.

A statement disclosing the presence of the oil contamination on the Stark Farm must be developed and recorded with the final plat. The wording of the document must be approved by the Health Department. Peter Smith, 410-877-2321, can assist with the development of the disclosure statement.

All buildings to be razed will require a demolition permit that is secured through the Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved and completed to the satisfaction of the Health Department. This includes, but is not limited to, the abandonment of any wells and septic systems, asbestos, underground storage tanks, hazardous materials, solid wastes, etc. and the forwarding of any documentation concerning the

demolition work. Questions concerning the demo work may be directed to Joe DeLizia of the Health Department's Air/Water Division at 410-877-2335.

All existing and proposed test wells that are to be retained must be converted to domestic production wells by the well driller who originally developed these wells.

The proposed wells for Lots 15-20, 27, 28 and 44 must be drilled as test wells and sampled and analyzed for full range of Volatile Organic Compounds (VOC), including MTBE, TAME, TBA, fuel oxygenates using EPA Method 524.2 Rev 4.1. In addition, Lots 15 and 44 shall also be tested for Pesticides and Herbicides. Depending on the test results, remediation measures may be required as determined by the approving authority. This may include installation of treatment equipment and groundwater remediation. The test results must be forwarded to Gary Browning at the Health Department. The sample may not exceed the maximum contaminant limits (MCL) of COMAR 26.04.01. If a sample exceeds the MCL or recommended MCL, or in the opinion of the Approving Authority, the results of the analysis indicate that harmful constituents are present in amounts that are significantly adverse to human health, safety or comfort, a Certificate of Potability (COP) may not be issued. If the water quality is such that the Department cannot issue a COP at a further date, the lot may not be recorded unless an alternative well site can be developed that will satisfy the conditions referenced in this paragraph.

All water testing must be collected by a Maryland Certified Water Sampler and analyzed at a Maryland certified lab. All submitted results must include the Chain of Custody documentation.

As part of the building permit process, a COP is required for the issuance of the Use and Occupancy permit. As a requirement of the COP, all wells must be sampled and analyzed for full range of VOCs, including MTBE, TAME, TBA, fuel oxygenates using EPA Method 524.2 Rev 4.1. This requirement also applies to wells that were previously tested prior to approval of the final plat. If the results are not acceptable, corrective action will be necessary.

The final plat must bear the well, septic reserve area and plat plan notes. The square footage amount of each septic reserve area must be clearly labeled on the final plat.

#### **DPW – Engineering – Mike Rist**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. Comments must be addressed on subsequent stormwater plan submittals.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lots owner(s) and shall be stipulated in the association documents.

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits. Practices located on individual lots are the maintenance responsibility of the lot owner.

Road plans will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site.

The proposed driveways shall be shown on the plans along with the details.

Monumental masonry mailboxes or structures shall not be constructed within the right-of-way.

It is recommended that a pedestrian trail be provided to parcel 26.

A 30' right-of-way dedication is required along Cooley Mill Road.

An access permit is required for the proposed driveway for Lot 44.

A traffic impact analysis has been submitted. Comments are being forwarded to Planning and Zoning.

**Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on each residence. If panhandle type lots are used, make sure the house numbers are marked on street directional or mailbox bank.

**Parks and Recreation – Paul Magness**

No comment.

**State Highway Administration – Rich Zeller**

SHA has no comment regarding the proposed access to this site as the entrance is proposed to a county road. The SHA is currently reviewing a traffic impact study for this development to determine the traffic impacts to the surrounding road network. Should an off-site road improvement be required to a state road or intersection to mitigate the traffic impact under the Adequate Public Facilities Ordinance (APFO), that improvement would be subject to the review and approval of SHA and an access permit would be required for the construction of that improvement. The Access Management Division (AMD) will defer specific comments regarding possible off-site road improvements until the review of the traffic impact study is complete.

The SHA traffic study comments will be forwarded as they become available. The SHA Tracking number 14APHA001XX should be referenced on all future submittals. SHA will withhold approval of the preliminary plan until it has been determined if an off-site road improvement will be required.

**Department of Planning and Zoning – Eric Vacek**

The thirty (30) single-family residential lots proposed within this plan are to be created via family conveyances and development rights. The property consisted of 270.33± acres as of February 8, 1977 and was made up of four tracts of land. A prior preliminary plan (P09-097-3) created fourteen (14) single family residential lots. The parcel has been in the same ownership since February 8, 1977; and is therefore eligible for the creation of family conveyance lots for immediate family members.

The specific lots created via family conveyances and the original associated parcel must be identified on the plan. The plan must note the individual lot acreages. The septic reserve area of each lot shall be clearly labeled to reflect the exact square footage.

The consultant shall clearly note any remaining development rights and associate lot on the final plat.

A cul-de-sac length waiver request shall be submitted the Director of Planning and Zoning for review.

A prior Forest Stand Delineation (FSD13-020-1) was submitted and approved by the Department Planning and Zoning. No grading shall be permitted in the wetland buffers for actual home construction.

DA authorization may be required for this project. Please contact Mr. Steve Elinsky at 410-962-4503 for additional details. All applicable permits must be obtained by Maryland Department of the Environment (MDE) and/or Army Corp of Engineers. If required, the Department of Planning and Zoning requests that the approved copies of the permit be provided and placed in the file for information purposes.

The lots are subject to the Harford County Forest Conservation Regulations. This site contains environmentally sensitive areas, namely tributary buffers and non-tidal wetlands. Additionally, all areas with slopes in excess of 25% contiguous of more than 40,000 square feet shall be labeled as NRD on the final plat. All non-tidal wetlands shall have a 75-foot buffer. A Forest Conservation Plan (FCP13-191-1) has been submitted for review to the Harford County Department Planning and Zoning. There will be no forest clearing and grading permitted in the wetland buffers for actual home construction. A revised series of the plan shall be required as street trees may not be credited toward afforestation/reforestation in Agricultural subdivisions.

A Landscaping Plan (L13-191-1) was submitted but has not been approved at this time. Buffer yards shall be established and clearly noted on agriculturally zoned land when the subject property is converted to residential use, consisting of more than 5 lots, and is adjacent to another agriculturally zoned property that has not been converted to residential use. Supplemental planting may be required within Lot(s) 38, 39 and 44. In addition, the required protective measure statement and cost estimate for the Landscaping Surety are required prior to approval.

Demolition permits shall be required for the removal of all existing structures located on the areas of open space noted on the plan. This shall be required prior to building permit application and coordinated with the Harford County Health Department.

The Access Easement to the open space areas shall be noted and delineated on the plan.

Mr. Schaffer asked if a new cul de sac length waiver would be required. One had been approved previously.

Comments were invited from the public.

Victoria Paxton Hill did not live right near the area but knows the community in general. She asked about the school capacity since the numbers are based on the building capacity and not the actual amount of teachers. She works for Harford County Public Schools and sees how full the classrooms are. She lives in the state park and is concerned about the Rock Run tributary. She wanted to point out the difference between the quantity of water versus the quality of water from

stormwater runoff going into the rivers. She was also worried about erosion. She questioned how the individual lot owners would be in control of their stormwater runoff.

Mr. Davenport answered that the stormwater management facilities would be under control of the homeowners association in the open space.

Ms. Hill was concerned that there would be someone responsible to make sure it was maintained properly.

Mr. Davenport added that typically the HOA will hire a management company to maintain the facilities and the open space area.

Ms. Hill did not live in an area with an HOA so she did not know exactly how they worked.

Mr. Davenport explained that the Department of Public Works inspects the facilities and will give the HOA a checklist of items that need to be routinely managed.

Ms. Hill said it was still a worry because it is at the beginning of some tributaries in the area. She thought that may have been an issue with some other developments; Bulle Rock for example. There are definite changes in the tributaries and it is very easy to see how the pollutants get there. She also questioned if there were two cemeteries on the property.

Mr. Schaffer responded that they have not been able to locate the second cemetery; however they have not given up.

Ms. Hill stated that was of personal importance to her. She asked if sidewalks were proposed with this plan.

Mr. Schaffer replied no.

Ms. Hill was worried about the Cooley Mill intersection. It is a very narrow intersection with Webster Lapidum Road and there is concern about traffic there.

Mr. Davenport said it was an intersection that was studied under the traffic impact analysis. He was not certain what the results were.

Mr. Rist said that initially the intersection did not show that it was failing so there would be no improvements at the intersection.

Ms. Hill said the worry was more about how narrow the roadway is rather than the amount of traffic. It is very difficult to see oncoming traffic. With the increase of traffic she thought the intersection would become even more dangerous. She asked if the traffic study showed how traffic will affect the Churchville Road at Route 155 intersection. She drives that way to work all the time and there are already a lot of construction vehicles.

Mr. Zeller said that the traffic study will address that. There are a number of intersections that were outlined in the scoping meeting. There may be improvements required as a result of the Adequate Public Facilities Ordinance.

Ms. Hill stated there was concern about the buffers for the wetland areas. She also said there was concern among many people that live around the area and how it may affect the housing values. It is a rural area and there are many small farms. She asked what buffers would be between the areas.

Mr. Davenport responded that the developer is obligated to provide a buffer yard "E" which is a 50' planted buffer adjacent to properties that are zoned and assessed agricultural (meaning recognized by the tax office as an agricultural use). If they are not assessed agriculturally but residentially, then there is no buffer obligation. The buffers have been identified.

Ms. Hill asked if the trees to be planted would be native trees.

Mr. Davenport suggested that she contact Mr. Vacek of the Department of Planning and Zoning. This plan proposes planting almost 30-40 acres of forest as well as off-site reforestation

of other developments. There is a long term plan for the ecological restoration of the stream valleys. Mr. Vacek would be glad to share the plans.

**RIVERWOODS @ TOLLGATE – CONSTANT FRIENDSHIP BUSINESS PARK – LOT 3**

Located at the end of Arundel Court. Tax Map 61; Parcel 103; Lot 3. First Election District. Council District B. Planner Shane.

Plan No. C13-192 Construct 61,200 sf storage facility; 79 unit Housing for the Elderly & 84 garden apts w/ community bldg.; 15.54 acres; CI.

Received 12-18-13 Pax-Edwards, LLC/Osprey Property Company/Frederick Ward.

Lou Schaffer of Frederick Ward Associates presented the concept plan. This plan proposes the development of Lot 3 of the Constant Friendship Business Park off of Arundel Road. Arundel Road intersects Constant Friendship Boulevard which intersects with Tollgate Road. The property is zoned CI. The proposal is to develop the lot as a multi-use project with a 61,000 square foot four story climate controlled story building, a 79 unit midrise housing for the elderly building and 84 garden apartments. Under the provisions of the multi-use special development standards certain criteria needed to be met. In particular, twenty five percent of the gross floor area of the entire project must be maintained by a commercial element. The climate controlled building meets those criteria. The plan proposes a private road off of Arundel Court that will loop around the apartment complex and provide the access for the other two buildings with secondary access off of Arundel Court to get to the loading area of the climate controlled building. This project will be served by public water and sewer. Concept stormwater management has not been developed yet but will prepared moving forward. A community input meeting was held at the Abingdon Library and attended by about 15 people. They are proposing a steam crossing at the area to be crossed with sanitary sewer. There will also be a pedestrian trail at the same crossing to connect the private road to Constant Friendship Boulevard. There is a bicycle and pedestrian element plan that was submitted with the overall project as part of the multi-use criteria as well architectural renderings of the various building types. There are active open space elements to the plan and the overall parking requirement is met. Because of the bicycle/pedestrian plan, they have submitted a waiver to reduce the parking by 10% if the plan is acceptable to the County. They are also proposing shared parking with all three building unit types. There will be covenants and restrictions and whatever is need to accommodate ADA accessibility. Proper signage will be maintained. Erosion/sediment control and final stormwater management plans need to be prepared. A revised forest conservation plan will be developed. Once the concept plan is approved, they will move forward with submission of the preliminary plan.

**Emergency Services – Robin Wales**

The private road must be named and checked with Emergency Services so duplication does not take place. The buildings will be addressed when the road names are in place with the preliminary plan.

**Volunteer Fire and E.M.S. – Bill Snyder**

All apartment complexes and elderly mid-rise buildings need to have Knox Key Boxes installed on the address side of the building. The clubhouse, storage building and office building shall also have a Knox Key Box installed on them if they have an automatic sprinkler system or a supervised, automatic fire detection system per NFPA 1, Part III, 3-6. They shall be keyed for the Abingdon Fire Department: 410-638-3951.

#### **Health Department – Len Walinski**

The Health Department has extended its approval for the concept plan. The site will be serviced by public water and sewer. The office has the following comments regarding the plan:

If the storage facility will be used for food storage or processing, review will be required by the Department of Health and Mental Hygiene (DHMH), Division of Food Control. If there are any questions regarding this review, contact Carolann Liszewski at 410-767-8401.

If a vending machine area is planned for the clubhouse, review will be required from the Health Department's Division of Food Control. Questions concerning this review process should be directed to Lisa Kalama at 410-877-2322.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is complete.

The Health Department encourages the owner/developer to consider smoke-free housing. Additional comments may be forthcoming upon review of the site plan.

#### **Water and Sewer – Darryl Ivins**

The following comments shall be included as conditions of concept plan approval for the above-described project:

Directional boring of public sanitary sewers is not permitted. The reference to directional boring shall be removed from the preliminary plan.

On the preliminary plan for this project indicate the location of the sewer services and the water meter vaults for the lots. The meter vault for Lot 3A shown on this plan must be moved as necessary to allow the service for Lot 3B to connect to the public portion of the water main.

The contract numbers for this project are 19733 for water and 19734 for sewer. The numbers shall be placed on the utility construction drawings before their initial submittal to the county for review.

If there are any buffer yards that are required as a result of this development that are not shown on this plan, then the Division of Water and Sewer requests that another series of this plan be provided which identifies the location and width of the buffer yard. The final plats for this project must include drainage and utility easements between the proposed lots to the tract boundary as stated in this approval letter.

#### **DPW – Engineering – Mike Rist**

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 45 of 49**

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater quantity management has been provided in the Regional Facility.

Additional management must be provided for this site in accordance with the 2000 Design Manual as amended by Supplement 1.

A stormwater management concept plan must be submitted prior to the preliminary plan submittal.

Maintenance of the on-site stormwater management facility (facilities) is (are) the responsibility of the lots owner(s). Maintenance of the regional facility is the responsibility of the lots owner(s) within the development, including this lot.

Commercial access permits are required for the site.

The entrance width shall be 25' with 35' minimum curb radii.

A street light shall be installed at the end of Arundel Road.

The pedestrian crosswalk will not be allowed across Constant Friendship Boulevard and shall be removed from the plan.

It is recommended that sidewalks be constructed to a 6' width when adjacent to perpendicular parking.

**Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked on the building.

**Parks and Recreation – Paul Magness**

This plan proposes construction of a 79 unit Housing for the Elderly with 84 garden apartments, along with a storage facility on a 15.54 acre parcel. The active open space requirement for the residential portion of the development is 4.52 acres of open space with 1.35 acres of active open space. The plan provides 5.84 acres of open space with 1.34 acres of active open space. The 1.1 acre area in the garden apartment complex includes a clubhouse, playground, tot lot and a portion of asphalt walking trail. The remaining active open space that is provided appears to include a small dog park and more asphalt walking trails. It is not clear if the portion of the walking trail that is contained in the 1.1 acre area of active open space is included as part of that acreage. Per County zoning code, the trail should be a minimum of 6' wide with a stone dust base. The recreation plan needs to be clarified concerning the acreage.

**State Highway Administration – Rich Zeller**

No comment.

**Department of Planning and Zoning – Shane Grimm**

A Preliminary Plan shall be submitted for review and approved through DAC after Concept Plan approval has been granted. The existing record plat shall be revised to incorporate the changes that have occurred since the recording of the original plat.

The final plat shall be recorded in the Harford County Land Records prior to building permit application for either lot.

A Landscape, Recreation and Lighting Plan shall be submitted for review and approval in conjunction with the Preliminary Plan. The Lighting Plan shall include a photometric plan that demonstrates proposed lighting throughout the project will not adversely affect neighboring properties or roadways.

A Bicycle, Pedestrian and Vehicular Circulation Plan shall be submitted for review and approval in conjunction with the Preliminary Plan.

The Department is currently reviewing the parking reduction request.

Building permits shall be obtained for all proposed retaining walls.

The architectural renderings submitted with the site plan are acceptable to the Department. Final architectural renderings shall be submitted for review and approval prior to building permit application that shall be in substantial compliance with the renderings approved with the site plan.

There were no additional comments from the public.

**WHITEFORD LAND ASSOCIATES LLC – LOT 7**

Located on the north side of Slate Ridge Road; west of Ridge Road. Tax Map 5; Parcel 72. Fifth Election District. Council District D. Planner Eric.

Plan No. P13-193 Create one residential lot; 157.102 acres; AG.

Received 12-18-13 Whiteford Land Associates, LLC/Highland Survey Associates, Inc.

Frank Richardson of Highland Survey Associates presented the preliminary plan. He represents Whiteford Land Associates LLC. This plan is for parcel 72 which goes from the Mason Dixon line almost to Route 136. It is intersected by Slate Ridge Road. The purpose of Lot 7 is to basically divide the parcel in half.

**Emergency Services – Robin Wales**

Lot 7 will be addressed as 4439 Slate Ridge Road. This address will work if displayed properly and approved by Planning and Zoning.

**Volunteer Fire and E.M.S. – Bill Snyder**

No comment.

**Health Department – Len Walinski**

The Health Department has extended its approval for the preliminary plan. The plan proposes to create one single family lot from an existing ag parcel. The site will be serviced by an

**Development Advisory Committee  
Minutes, January 15, 2014  
Page 47 of 49**

individual well and on-site disposal system. Satisfactory soil test were conducted on October 3-5, 2005. Prior to final plat approval, the following are required:

The consultant/applicant must make application for a "Notice of Exemption to Appropriate and Use Groundwater." The completed application is to be submitted to the Health Department and upon processing, the completed application will be forwarded to the Maryland Department of the Environment (MDE).

The proposed wells must be drilled in the approved location, sampled and analyzed for full range of Volatile Organic Compounds (VOC), including MTBE, TAME and TBA using EPA Method 524.2 Rev. 4.1. The results of the tests must be forwarded to Gary Browning at the Health Department. Depending on the test results, remediation measures may be required as determined by the approving authority. This may include installation of treatment equipment and groundwater remediation. The sample may not exceed the maximum contaminant limits (MCL) of COMAR 26.04.01. If a sample exceeds the MCL or recommended MCL, or in the opinion of the Approving Authority, the results of the analysis indicates that harmful constituents are present in amounts that are significantly adverse to human health, safety or comfort, a Certificate of Potability (COP) may not be issued. If the water quality is such that the Department cannot issue a COP at a future date, the lot may not be recorded unless an alternative well site can be developed that will satisfy the conditions referenced in this paragraph.

As part of the Use and Occupancy (U&O) process, the well must be retested for the above contaminants in the raw water supply and after any treatment equipment is installed on the water supply.

The final plat must bear the well, septic reserve area and plat plan notes. The square footage amount of the septic reserve area must be clearly indicated on the final plat.

**Water and Sewer – Darryl Ivins**

No comment.

**DPW – Engineering – Mike Rist**

A grading permit or standard sediment control plan shall be required for land disturbing activities exceeding 5,000 square feet.

Stormwater management must be provided in accordance with the 2000 Design Manual as amended by Supplement 1.

Maintenance of the stormwater management facility (ies) is (are) the responsibility of the lot owner(s).

Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits.

An access permit is required for the proposed driveway.

The driveways must be paved within the County right-of-way prior to issuance of any use and occupancy permits and provide adequate site distance for a 30 mph design speed.

A 30' right-of-way dedication is required along Slate Ridge Road.

**Sheriff's Office – Mark Logsdon**

Ensure the street address is clearly marked.

**Parks and Recreation – Paul Magness**

No comment.

**State Highway Administration – Rich Zeller**

No comment.

**Department of Planning and Zoning – Eric Vacek**

This property is zoned agricultural (AG), and proposes to create one (1) residential lot by subdividing an existing agricultural parcel. The original parcel consisted of six (6) tracts as of February 8, 1977 and totaled 438 +/- acres and carried forty-six (46) development rights. Lot(s) 1 and 2 utilized two (2) development rights. Lot(s) 3 and 4 utilized two (2) development rights. Lot(s) 5 and 6 shall utilize two (2) additional development rights. The creation of Lot 7 shall utilize one (1) development right. This plan further proposes to retain two (2) additional development rights with Lot 7.

The septic reserve area of each lot shall be clearly labeled to reflect the exact square footage.

Private wells associated with the development shall be revised prior to final plat to reflect the required minimum 100 foot setback from adjacent properties that are zoned agricultural (AG) and have received an agricultural use assessment.

A Forest Stand Delineation (FSD07-007-1) was submitted and approved by the Department Planning and Zoning. The information noted on this FSD may need to be updated because of significant logging. No grading shall be permitted in the natural resource districts (NRD) buffers for actual home construction.

The lots are subject to the Harford County Forest Conservation Regulations. This site contains environmentally sensitive areas, namely tributary buffers and non-tidal wetlands. Additionally, all areas with slopes in excess of 25% contiguous of more than 40,000 square feet shall be labeled as NRD on the final plat. All non-tidal wetlands shall have a 75-foot buffer. Several quarries existing on the proposed lot and shall receive 75 foot buffers. These environmental features and buffers shall be easily distinguishable on the final plat. A Forest Conservation Plan (FCP13-193-1) has been submitted for review to the Harford County Department Planning and Zoning.

The consultant/developer shall clarify the status of abandoned Quarry Road.  
Driveways are not shown on the plan.

Comments were invited from the public.

Mike Sturgill, 1704 Ridge Road, said the property backs up to his property and has been ribboned in the past few months. He wanted to know if the ribbons were defining property lines or

**Development Advisory Committee**  
**Minutes, January 15, 2014**  
**Page 49 of 49**

if something else was going on. He knows on the south side a lot of logging has been done. He asked if that was development related or if it was strictly a private property matter.

Mr. Richardson replied that they did not put the ribbon up. It was probably a logger.

Mr. Sturgill asked if it were going to be logged on that side.

Mr. Richardson said he was not sure.

Mr. Sturgill said he was hoping it would not get logged but that may not be the case. He also asked about one building site for 157 acres and if it were grandfathered so it could be further developed later.

Mr. Richardson stated there was one building site plus two additional development rights.

Mr. Sturgill asked if there could be three homes.

Mr. Davenport clarified that the plan proposes to retain two development rights. A development right equals a lot.

Mr. Sturgill said his concern was the logging. He said when it was logged on the other side, it was trashed. There are better ways to log without making the whole countryside look like a war zone. He has logged in the past. He hoped there was a chance they might do a cleaner job this time.

Mr. Davenport thanked everyone for their attendance.

Meeting adjourned 12:16 p.m.